



YUKON LEGISLATIVE COUNCIL

VOTES & PROCEEDINGS

AND

PAPERS

22ND WHOLLY ELECTIVE COUNCIL

1973 THIRD SESSION

SPEAKER: MR. R.A. RIVETT

I N D E X

1973 (Third Session)

Volume I 1 - 117, Sessional Papers, Legislative Returns

Sessional Dates - Monday, July 23, 1973 to Tuesday, July 31, 1973.

<u>BILLS</u>	<u>1st & 2nd READING</u>	<u>DISCUSSED</u>	<u>3rd READING</u>	<u>ASSENTED TO</u>
35. Workmen's Compensation Ordinance	6	6-25, 29-38 68-69	85-86	117
36. Workmen's Compensation Supplementary Benefits Ordinance	6	38	86	117
37. Third Appropriation Ordinance, 1973/74	6	38	86	117
 <u>SESSIONAL PAPERS</u>			<u>TABLED</u>	<u>DISCUSSED</u>
1. Member for Whitehorse Indian Village Relocation Committee			2	82-83
2. Whitehorse Hospital Advisory Board			2	83-84
3. Name of New Riverdale School			2	84
4. Councillors' Expense Accounts			2	--
5. Commissioner's Opening Address			1	--
 <u>LEGISLATIVE RETURNS</u>			<u>TABLED</u>	<u>DISCUSSED</u>
1. Department of Education Employment Cancellation Letters			2	--
2. Insect Control Spray Programme			2	--
3. Defolients in Yukon			2	--
4. Temporary Transport Permits			2	--
5. Faro Townsite Problems			40	--
 <u>CORRESPONDENCE AND DOCUMENTS</u>				
<u>MOTIONS</u>		<u>MOVED</u>	<u>DISCUSSED</u>	<u>RESULTS</u>
1. Appointment of Whitehorse Administrator		26	45-61 65-68	CARRIED
2. Confidence in Executive Committee		26	40,69-73 101-102	CARRIED
3. Continuation of Territorial Council		26	40-41 74-75 87-100, 102	DEFEATED
4. Municipal Ordinance		26	75-81 102-104	--
5. Constitutional Reforms		26	81-82, 104	CARRIED
6. Appointment of Elected Members of Executive Committee		41	41, 104, 106, 115	Died in Committee
7. Sessional Papers into Committee of the Whole		63	--	No Vote Required
8. Liquor Ordinance to be Discussed in Committee of the Whole		63	63, 82	Withdrawn
9. Territorial Council		106	106	Died in Committee

<u>MOTIONS FOR PRODUCTION OF PAPERS</u>	<u>MOVED</u>	<u>DISCUSSED</u>	<u>RESULTS</u>
<u>QUESTIONS</u>	<u>ASKED</u>	<u>DISCUSSED</u>	<u>RESULTS</u>
<u>MISCELLANEOUS</u>			<u>PAGE</u>
<u>ORAL QUESTIONS</u>			
Amendments to the Yukon Act			2
Development of Natural Resources			3
CMHC Mortgages for Porter Creek			3
Relocation of Dawson Transport Ministry			4
Special Occasion Permits			4, 28, 43
Court Action Against Whitehorse Aldermen			4
Charges Against Former Alderman Lucier			4
Municipal Election for City of Whitehorse			4
Vacancies of Aldermen and Mayor			5
Faro Townsite			5
Ottawa Dignitaries in Whitehorse			5
Municipal Ordinance			27
Land Freeze			27, 42-43
City Aldermen			27
Minister of IAND			28
Administration of Yukon Territory			28
Responsibility of Mr. Commissioner			28
Prior Contact of Whitehorse Administrator Oliver			28
Constitutional Reforms			42
Medicare			42
Territorial Election			42
Installation of Radio and T.V.			43
Appointment of City Administrator			43
Salary of City Administrator			43
Financing the Bridge at Whitehorse			44
Advisers to the Administration of Whitehorse			44
Low Rental Housing Programme			44
High Bids			44
Private Property at Kathleen Lake			44
Proliferation of Highway Traffic Signs			44-45
National Parks Issue			45
Disposal of Beverage Containers			45
Watson Lake Lots for Sale			63
Problems in Faro			63
Payment of Administrator's Salary			63
Judicial Re-Distribution			63
Boundaries Commission			64
Legislation on Boundaries			64
Liquor Consumption in the Yukon			64
Lower Rate for Kilowatt Hour			85
Territorial Capitol Building			85
Railroad Yards in the Carmacks Area			85
Education Ordinance			106
Medicare			106
<u>WITNESSES</u>			<u>PAGE</u>
Bills No. 35, 36, & 37	Mr. Fingland Mr. Taylor Mr. Hough Miss Wasylynchuk		6-69 6-69 6-69 6-69

VOTES AND PROCEEDINGS
OF THE
COUNCIL OF THE YUKON TERRITORY

Monday, July 23, 1973

The Third Session of the Council for the year 1973, being the Ninth Session of the Twenty-Second Wholly Elective Council of the Yukon Territory, was convened in the Council Chambers at 3:00 p.m. on Monday, July 23, 1973.

The Members present were:

Mr. Norman S. Chamberlist, Whitehorse East
Mr. Michael G. Stutter, Dawson
Mr. Donald E. Taylor, Watson Lake
Mrs. Hilda P. Watson, Carmacks-Kluane Lake
Mr. J. Kenneth McKinnon, Whitehorse West
Mr. Clive Tanner, Whitehorse North
Mr. Ronald A. Rivett, Mayo

The Clerk reads the Proclamation.

Mr. Speaker enters the Council Chambers, announced by the Sergeant-at-Arms.

Mr. Speaker: Please be seated. Madam Clerk is there a quorum present?

Madam Clerk: There is, Mr. Speaker.

Mr. Speaker: The Ninth Session of the Twenty-Second Wholly Elective Council of the Yukon Territory will now come to order. Madam Clerk, will you please ascertain if the Commissioner wishes to give his Opening Address to Council?

Madam Clerk leaves the Chambers to confer with the Commissioner, and returns.

Madam Clerk: Mr. Speaker, the Commissioner will give his Opening Address in the Supreme Court..

Mr. Speaker: The Council now stands adjourned to hear the Commissioner's Opening Address in the Supreme Court.

Mr. Speaker and the Members of the Council are escorted to the Supreme Court by the Sergeant-at-Arms.

The Commissioner of the Yukon Territory, Mr. James Smith, is ushered into the Supreme Court by his Aide-de-Camp.

Mr. Commissioner gives his Opening Address (set out in Sessional Paper No. 5).

Mr. Speaker and the Members of Council return to the Council Chambers.

Mr. Speaker: I now call Council back to order, and wish to advise you that I have a copy of the Commissioner's Opening Address. What is your pleasure at this time?

Mr. Chamberlist: Mr. Speaker, I would move that the Opening Address of the Commissioner be taken into consideration on a day following.

Mr. Tanner: I'll second it, Mr. Speaker.

Mr. Speaker: It has been moved by the Honourable Member for Whitehorse East, seconded by the Honourable Member for Whitehorse North, that the Commissioner's Opening Address be taken into consideration on a day following. Are you agreed? I declare the motion carried.

MOTION CARRIED

BILL #35 INTRODUCED

Moved by Councillor Chamberlist, seconded by Councillor Watson, that Bill No. 35, an Ordinance intituled Workmen's Compensation Ordinance, be introduced.

MOTION CARRIED

BILL #36 INTRODUCED

Moved by Councillor Chamberlist, seconded by Councillor Watson, that Bill No. 36, an Ordinance intituled Workmen's Compensation Supplementary Benefits Ordinance, be introduced.

MOTION CARRIED

BILL #37 INTRODUCED

Moved by Councillor Chamberlist, seconded by Councillor Watson, that Bill No. 37, an Ordinance intituled Third Appropriation Ordinance, 1973/74, be introduced.

MOTION CARRIED

Mr. Speaker: Council now stands adjourned until 2:00 p.m. tomorrow afternoon.

ADJOURNED

Mr. Speaker reads the daily prayer.

Mr. Speaker: Madam Clerk is there a quorum present?

Madam Clerk: There is, Mr. Speaker.

Mr. Speaker: The House will now come to order. Are there any Documents or Correspondence to be tabled?

TABLING OF SESSIONAL PAPERS 1-5 & LEGISLATIVE RETURNS 1-4

Mr. Chamberlist: Yes, Mr. Speaker. I have for tabling today Sessional Papers No. 1 to 5 inclusive and Legislative Returns No. 1 to 4 inclusive.

Mr. Speaker: Are there any Reports of Committee?

Mr. Taylor: Mr. Speaker, before we proceed with Orders of the Day, I would like to rise on a point of privilege and I would like to draw the attention of Members of the House to the presence in the House, this afternoon of Mrs. Adams, who is now serving the House as the new Clerk of the Council. I am sure that every Member would join me in wishing her welcome to the House and wishing her also well in the duties that lie ahead.

Honourable Members: Hear, hear.

Mr. Speaker: Are there any Reports of Committees? Are there any Bills to be introduced? Are there any Notices of Motion or Resolution?

Mr. Chamberlist: Yes, Mr. Speaker. I wish to give Notice of Motion. I have two motions to give notice of: Motion No. 1 will be moved by Councillor Chamberlist, seconded by Councillor Watson, that in the opinion of this House, the Commissioner having been notified that by reason of the resignation of five of the aldermen of the City of Whitehorse, the City lost a quorum to carry on business and has no alternative to the appointing of an administrator. Notice of Motion No. 2, moved by Councillor Chamberlist, seconded by Councillor Watson, that this House has confidence in the Executive Committee concept.

Mrs. Watson: Mr. Speaker, I would like to give Notice of Motion No. 3, moved by Councillor Watson, seconded by Councillor Chamberlist, that in the opinion of this House it is in the best interests of the Territory that this Twenty-Second Wholly Elective Council shall continue in office until it has completed its full term.

Mr. Speaker: Any further Notices of Motion?

Mr. Taylor: Mr. Speaker, I have a Notice of Motion respecting dissolution of this Council.

Mr. Chamberlist: Point of order, Mr. Speaker. Mr. Speaker, once the matter of Council is before the House and to be placed on the Order Paper, any other motion of a similar nature cannot be placed on the Order Paper.

Mr. Speaker: Are there any further Notices of Motion?

Mr. Tanner: Could the motion be read again, the Notice of Motion be read again concerning the Executive Committee?

Mr. Chamberlist: Notice has already been given of the motion. It is not in debate, it has got to be in debate.

Mr. Tanner: Mr. Speaker, I am not debating the motion. I merely want it read so I can hear it, so that I can make a Notice of Motion, myself.

Mr. Chamberlist: Very well. The Notice of Motion No. 2 are you talking about? Notice of Motion No. 2 reads that this House has confidence in the Executive Committee concept.

Mr. Tanner: Thank you, Mr. Speaker.

Mr. Speaker: Do you wish to present a motion?

Mr. Tanner: Not under the circumstances, Mr. Speaker, it has already been presented.

Mr. Speaker: Are there any further Notices of Motion?

Mr. Stutter: Yes, Mr. Speaker. I would like to give notice of two motions, the first one regarding the Municipal Ordinance and the second Notice of Motion regarding constitutional reform.

Mr. Speaker: Are there any further Notices?

Mr. McKinnon: Mr. Speaker, I would like to give Notice of Motion respecting the Municipal Ordinance, if I may.

Mr. Chamberlist: Point of order, Mr. Speaker. Once again a Notice of Motion has been given on the reference of that subject-matter and another Notice of Motion cannot be put on the Order Paper, as a motion has already been given.

Mr. Taylor: Mr. Speaker, let's stop this farce. On a question of privilege, I say, that the motion has not yet been read and how can any Member have the complete audacity to get up and ask the Speaker to rule that any motion is out of order. There is no motion out of order in this House until it has been read and completed by the Speaker of this House.

Mr. Chamberlist: Speaking to the particular point raised. I did not speak that the motion was out of order, I suggested, Mr. Speaker, for your consideration, that once a Notice of Motion is given in reference of a particular subject-matter, that goes on the Order Paper for the following day. It would be irregular to put another Notice of Motion on the same subject, on this Order Paper. I am just pointing it out to the Honourable Member, and I am sure that he agrees with that.

Mr. Taylor: Again on a point of privilege, it is quite incorrect and I am sure that Mr. Speaker, must agree.

Mr. Speaker: This is a democratic House. Are there any further Notices of Motion? Are there any Notices of Motion for the Production of Papers? As there are no Notices of Motion for the Production of Papers, or Motions we come to the Question Period. Are there any questions?

QUESTION RE AMENDMENTS TO THE YUKON ACT

Mr. Stutter: Yes, Mr. Speaker, I have a question this morning for the Commissioner. If I might be permitted a small amount of preamble, on May 22nd of this year, the following report was given by the standing committee on Indian Affairs and Northern Development and here I quote, "While considering the estimates of the fiscal year ending March 31st, 1974 under the Department of Indian Affairs and Northern Development, your committee agreed to report the following to the House: Your committee recommends that the repeated request of the Yukon Territorial Council for government reform at the Territorial level be granted and that resolution number 40 of the Council submitted to the Department of Indian Affairs and Northern Development be accepted by the government and that the government consider the advisability of introducing appropriate amendments to the Yukon Act, a copy of the resolution number 40 of the Council is appended." My question to the Commissioner is, Mr. Speaker, would he contact the Minister and ascertain whether in fact the Minister has had that recommendation and what action if any is now taken on it?

Mr. Commissioner: Mr. Speaker, my answer to that is in the affirmative. I think that Honourable Members put basically the question that you are talking about constitutional reform to my Minister when he attended the Council Session in Dawson of approximately one month ago. I believe that at that time it would be recorded that

my Minister clearly indicated that he was working on this particular matter and hoped to have something to his Cabinet colleagues in the not too distant future. I am quite prepared to follow up on the question that has been raised by the Honourable Member.

QUESTION RE DEVELOPMENT OF NATURAL RESOURCES

Mr. Taylor: Mr. Speaker, I have a question that I would direct to the Administration, this afternoon. Approximately July 15th, the Prime Minister of Canada in Vancouver stated that the Federal Government would be embarking on a policy of improvement and furthering the transportation system in the north for the express purpose of processing and development of natural resources in western Canada. Inasmuch as the Prime Minister has made this proposal, I am wondering, if Mr. Commissioner could advise the House, whether he has been informed by Canada as to whether we will participate here in the Yukon in this program and if so, to what extent.

Mr. Commissioner: Mr. Speaker, I would make an assumption in answer to the Honourable Member's question and that is that the Prime Minister was referring to basically railroad and port development in northern British Columbia. If my assumption is correct the announcement was made publicly, yesterday in Vancouver by the Federal Government, I believe Mr. Marchand the Minister of Transport and the Premier of British Columbia and other appropriate Federal and Provincial officials. I think, the best way of illustrating outside of what the press release which I will have tabled for Member's information would be the compilation of a map that would clearly illustrate exactly what is involved in the various rail extensions cooperatively agreed to between the two levels of government. I cannot guarantee to have this map here tomorrow, but I will have it as soon as it can be prepared, Mr. Speaker. The press release, I will have copies made and distributed to all Members for their information. Mr. Speaker, if the Honourable Member feels that this is not what the Prime Minister was referring to, he will have to take an opportunity to make further inquiries.

QUESTION RE C.M.H.C. MORTGAGES FOR PORTER CREEK

Mr. Tanner: Mr. Speaker, could the Commissioner inform the House whether the Executive Committee or any part of the Administration have had conversation with C.M.H.C. with reference in particular to obtaining C.M.H.C. mortgages in Porter Creek and whether the Executive Committee through the City Administrator will be prepared to forward a letter to C.M.H.C. stating that the water and sewer system should be brought into Porter Creek and therefore obtain C.M.H.C. mortgages.

Mr. Commissioner: Mr. Speaker, without completely refreshing my memory by searching the files, I am not prepared to answer the first part of the Honourable Member's question. I will say this, Mr. Speaker, that the attitude of Central Mortgage and Housing Corporation, whether any of us around this Table like it or don't like it, has been that they are not prepared to provide C.M.H.C. financing in areas of metro Whitehorse that are not properly and fully serviced or in which a completely rural condition exists. The only suggestion that I would have, if the Honourable Member would be prepared to give me a little time on this, I will have the files researched and endeavour to bring him up to date on exactly what the latest that we have from Central Mortgage on this particular point is. I don't want to mislead Members of this House that I am aware of any encouragement that has been given by Central Mortgage in the changing of their particular attitude in this matter.

Mr. Tanner: A supplementary, Mr. Speaker, it is my understanding that this C.M.H.C. had a letter on file saying that in a certain specified time water and sewer would be in Porter Creek, C.M.H.C. finances would be immediately available. I am asking the question of the Commissioner, whether or not the Executive Committee, through the City Administrator is prepared to write that

letter?

Mr. Commissioner: Mr. Speaker, I too have heard this statement made, but like a lot of other statements that you hear, I think, that it would bear a little investigating to see whether or not the substance that gave rise to the statement was actually brought to bear and if the Honourable Member would give me the opportunity and time on this aspect of it too, I will endeavour to research the matter and see that a proper and further statement is made available for the Honourable Members.

QUESTION RE RELOCATION OF DAWSON TRANSPORT MINISTRY

Mr. Stutter: Mr. Speaker, I have another question for the Commissioner. Recently it has been announced that the Ministry of Transport in the Dawson area is going to be relocating its services to the Dawson Airport and that a new power line is to be extended through to the airport. I would like to ask the Commissioner what commitments, particularly from a financial point of view, what involvement does the Territorial Government have in the financial end of this relocation.

Mr. Speaker: Was the Honourable Member's question concerning the relocation of power lines or the relocation of the physical facilities of the Ministry of Transport?

Mr. Commissioner: Mr. Speaker, to the very best of my knowledge we are not involved in any financial commitment in the sense of the word that we are underwriting to a degree the move of these facilities, but I would like to have time, Mr. Speaker, to research this matter properly so that I could write a detailed answer to the House.

QUESTION RE SPECIAL OCCASION PERMITS

Mr. Taylor: Mr. Speaker, I have a question I would direct to the Administration. On Friday, June 15 last at Dawson City there was much discussion surrounding the current, or then current policy in respect of liquor control in relation to special occasion permits, and how it affects the juveniles. I am wondering, it was said at that time that the matter was clear to the Commissioner and clear to the Administration, I'm wondering then, Mr. Speaker, if the Commissioner could advise us this afternoon whether that matter has been corrected, and if so, when the matter will be made public to the people of the Yukon and to this Council.

Mr. Commissioner: Mr. Speaker, the necessary order giving effect to that was signed by myself within the last few days and I am sure that there will be only the distribution process before it will be available to all Members and to the general public within a very, very short while, if it isn't already.

QUESTION RE COURT ACTION AGAINST WHITEHORSE ALDERMEN

Mr. McKinnon: Mr. Speaker, I wonder if I might ask the Commissioner a question. I listened to several reports on both radio stations at noon hour to make sure that I had a subjective viewpoint on what was happening, and I am still not clear, Mr. Speaker, whether the deal has been made. I would like to ask the Commissioner whether charges have been dropped by the Government of the Yukon Territory against all five aldermen that the Territorial Government has put.

Mr. Commissioner: Mr. Speaker, I think that the best answer that I could give to the Honourable Member would be to read the press release that was signed by myself and the other Members of the Executive Committee and the four aldermen referred to in the press release. It was announced today by Commissioner James Smith on behalf of the Executive Committee and by four aldermen who resigned from the Whitehorse City Council on July 9th, J. Alder Hunter, Jim Howatt, Steve Henke and Clive Boyd, that they had agreed to ask leave of the court to discontinue their respective legal action. On the basis of this understanding the Commissioner stated that the quo Warranto initiated by the Territorial Government would be discontinued and the four former aldermen stated that their actions for damages against the Members of the Executive Committee would be discontinued.

Mr. McKinnon: Mr. Speaker, I wonder if I could ask the Commissioner whether this was on the advice of the Director of Legal Affairs of the Yukon Territory.

Mr. Commissioner: I am not prepared to divulge the internal discussions or any portion of them at all in connection with it. I think the statement, I would be very hopeful and I think the Honourable Member would agree with me, should suffice to indicate that this is the end result of the various actions and discussions. As advice, I would ask that the matter be left at that point.

QUESTION RE CHARGES AGAINST FORMER ALDERMAN LUCIER

Mr. McKinnon: Mr. Speaker, will the charges brought by the Government of the Yukon Territory against former Alderman Paul Lucier be dropped by the Government of the Yukon Territory?

Mr. Commissioner: Mr. Speaker, without getting into an involved and legal description or the question of legal matters here, I would again ask that the statement be accepted as the answer to the question at the moment.

Mr. Speaker: Is that fair enough?

Mr. McKinnon: No, it certainly is not. It is a direct question from a Member of the Yukon Legislative Council to the Commissioner, and if he can't answer it, I would like to direct it to the Director of Legal Affairs. Has the Director of Legal Affairs advised that any charges against former Alderman Paul Lucier be dropped or are only the charges being dropped against the four aldermen who signed the agreement with the Justice?

Mr. Legal Adviser: Mr. Speaker, I am not aware that any charges were laid against anybody. All I am aware of was that the Government, through Mr. Bilawich, asked the court to grant quo Warranto Orders against the five named aldermen. These are not charges in this civil action of the court and I have no instructions as to how to continue, whether to continue or not to continue concerning Mr. Paul Lucier.

Mr. McKinnon: Now that we have our legal terms correct will four quo Warranto Orders issued by the Territorial Government against the former Alderman Paul Lucier be dropped by the Government of the Yukon Territory?

Mr. Commissioner: I think, Mr. Speaker, if the question is going to be pursued, we are going to have to ask that we be permitted time as far as an answer is concerned, because we are getting into legal aspects of the situation and as the Legal Adviser pointed out, we do not have actions as such against any one or number of...

Mr. McKinnon: Mr. Speaker, the question couldn't be more directly, over the orders against former Alderman Paul Lucier, dropped by the Government of the Yukon Territory. It seems to me that "yes" or "no" or "give me time to answer" is all that... I asked a supplementary question, when may I expect an answer to a very important question?

Mr. Commissioner: When possible and practical.

QUESTION RE MUNICIPAL ELECTION FOR CITY OF WHITEHORSE

Mr. McKinnon: I wonder if I could ask Mr. Commissioner if he has any indication at all as to when a municipal election will be called for the City of Whitehorse.

Mr. Commissioner: Mr. Speaker, without attempting to second-guess the actions of the Administrator and the Citizen Group of Advisers that he has, it would be possible for an election to be held sometime within the next seven or eight weeks, but I want it to be thoroughly understood that this is not to jeopardize the suggestions or the discussions that will take place in that group.

Mr. McKinnon: I wonder if Mr. Commissioner could indicate whether there are any discussions or is any action being initiated at the present time to amend any current Municipal Ordinance prior to enacting a municipal election in the City of Whitehorse.

Mr. Commissioner: Mr. Speaker, the answer is in the House.

QUESTION RE VACANCIES OF ALDERMEN AND MAYOR

Mr. McKinnon: I wonder, Mr. Speaker, if I could ask Mr. Commissioner whether in his opinion qualified people will be found to fill the vacancies of aldermen and Mayor in the City of Whitehorse if there are no amendments made to the Municipal Ordinance prior to the next municipal election.

Mr. Commissioner: Mr. Speaker, I don't think that I should be called upon to pass a judgement on whether people are qualified or whether they are not. The qualifications laid down in the Municipal Ordinance are the qualifications for people to run and it has to be a decision of the ballot box as to who of those people meets with the electors' approval, but the qualifications for people who expose themselves to municipal office are clearly stated in the Municipal Ordinance.

Mr. Tanner: Mr. Speaker, on a point of order, all this last series of questions have been brought up in Notices of Motion and are going to be before the House and before the Committee and I don't really see the point in pursuing this line of thought and questions.

Mr. Chamberlist: I would also indicate, Mr. Speaker, on the point of order, that we are getting into the area of debate and I would suggest Mr. Speaker, that it is your prerogative to stop this line of questions.

QUESTION RE FARO

Mr. Taylor: Mr. Speaker, I have a question I would like to direct to Mr. Commissioner this afternoon. As a result of the questions I asked in Dawson respecting the Town of Faro and in view of the problems that do exist within the townsite - the physical problems such as water works, subsoil conditions, etc., has the Administration since the Dawson Council Session undertaken to go to Faro and enjoin the parties concerned to discussions as to how these problems can be resolved?

Mr. Commissioner: Mr. Speaker, I can't answer positively to the Honourable Member. What I think he is asking is whether I have knowledge of any officer of my Government physically going to the Town of Faro and sitting down with the City Council and other interested people there in connection with these questions, and I can't answer that right off the top of my head. I will endeavor to get an affirmative answer to let the Honourable Member know whether this has happened or not. But I would reiterate what was said in Dawson and certainly any request that is made to my Administration in connection with meetings of this nature, they will be attended and that is all that there is to it. I will endeavor to find out if indeed such meetings have been requested or if they have actually taken place.

QUESTION RE OTTAWA DIGNITARIES IN WHITEHORSE

Mr. McKinnon: Mr. Speaker, once again by press reports it seems that Members in opposition get more say these days and I know the Honourable Member of Whitehorse East thinks they do but he can't believe what has been said in the press, so I thought I'd ask it straight from the horse's mouth. There have been reports that there have been Ottawa dignitaries in town in the last few days, and I myself as a Member of the Yukon Legislative Council have received no indication that this is a fact, nor have I been invited to any functions where these Ottawa dignitaries are. I wonder if this is just another in the continuing line of Government policy to keep these people away from Members of the Yukon Legislative Council to prevent them from hearing things they don't want to hear.

Mr. Commissioner: Mr. Speaker, with respect, if the Honourable Member is suggesting that there are guests of the Yukon Territorial Government here in town at this time in the form of senior federal officials, the answer is "no". There are none. There are members of the Senate,

there are members of the Public Service of Canada at senior levels that are here at the present time and who are at Skagway today. These people are not here as guests of the Territorial Government nor am I aware of any function that is being sponsored for these people by the Territorial Government. Now if there is, I am not aware of it.

Mr. McKinnon: Mr. Speaker, I would like to ask the Commissioner when people of the caliber of the Honourable Senator Arthur Laing and the Honourable George Mathway are in the area, doesn't he think it is the responsibility of the Government of the Yukon to at least have a meeting with members of this faction of the Senate of Canada and Senior Civil Servants with the newly-elected members of the Yukon Legislative Council?

Mr. Commissioner: These people are here as guests of someone else. They have nothing to do with us and if there is any particular reason, I met these gentlemen on the same basis as everyone else at one time yesterday and one time yesterday evening I was invited by Whitehorse Copper Mines to meet with them. So I don't know just exactly what the Honourable Member has in mind, but if he would express himself and if he would like to have a meeting arranged with Members of the Council and these senior people that are here from Ottawa, if they have time to do so, why, I'd be very happy to extend an invitation to them.

Mr. Chamberlist: For information, I would like to tell the Honourable Member that Whitehorse Copper who made the invitation thought very highly of some of the members of the former City Council and they were invited. Obviously they didn't think so highly of the Honourable Member for Whitehorse West and that's why he didn't get his prime rib.

Mr. Speaker: Or the Honourable Member from Mayo.

Mr. McKinnon: Welcome to the club.

Mr. Speaker: Are there any other questions? We wish to thank the Commissioner for his attendance. As there are no Private Bills and Order or Public Bills and Order, may I have your further pleasure? Would it be in order if we had a recess? I feel a little bit indisposed.

RECESS

BILL #35 FIRST READING

Moved by Councillor Chamberlist, seconded by Councillor Watson, that Bill No. 35, Workmen's Compensation Ordinance, be given First Reading.

MOTION CARRIED

BILL #35 SECOND READING

Moved by Councillor Chamberlist, seconded by Councillor Watson, that Bill No. 35, Workmen's Compensation Ordinance, be given Second Reading.

MOTION CARRIED

BILL #36 FIRST READING

Moved by Councillor Chamberlist, seconded by Councillor Watson, that Bill No. 36, Workmen's Compensation Supplementary Benefits Ordinance, be given First Reading.

MOTION CARRIED

BILL #36 SECOND READING

Moved by Councillor Chamberlist, seconded by Councillor Watson, that Bill No. 36, Workmen's Compensation Supplementary Benefits Ordinance, be given Second Reading.

MOTION CARRIED

BILL #37 FIRST READING

Moved by Councillor Chamberlist, seconded by Councillor Watson, that Bill No. 37, Third Appropriation Ordinance 1973/74, be given First Reading.

MOTION CARRIED

BILL #37 SECOND READING

Moved by Councillor Chamberlist, seconded by Councillor Watson, that Bill No. 37, Third Appropriation Ordinance 1973/74, be given Second Reading.

MOTION CARRIED

Mr. Speaker: May I have your further pleasure?

Mr. Chamberlist: Mr. Speaker I move that Mr. Speaker do now leave the Chair and that Council resolve itself into Committee of the Whole for the purpose of discussing Bills, Sessional Papers and Legislative Returns.

Mr. Tanner: I'll second that.

Mr. Speaker: It has been moved by the Honourable Member for Whitehorse East, seconded by the Honourable Member for Whitehorse North, that Mr. Speaker do now leave the Chair and the Council resolve itself into Committee of the Whole for the purpose of discussing Bills, Sessional Papers and Legislative Returns. Are you prepared for the question? Are you agreed? I declare the motion carried.

MOTION CARRIED

Mr. Speaker: The Honourable Member for Watson Lake will please take the Chair in the Committee of the Whole.

BILL #36

Mr. Chairman: The first matter before Committee this afternoon is Bill No. 35, Workmen's Compensation Ordinance. I wonder if it is your wish at this time to invite our guests or witnesses. Madam Clerk could we have, Mr. Herb Taylor. I'll declare a brief recess.

RECESS

Mr. Chairman: I'll call Committee back to order. We'll proceed with the reading of Bill No. 35.

Mr. Chamberlist: The purpose of this Bill is to transfer the eventual responsibility for payment of compensation in respect of the injury or death of workmen from employers and their insurers to the Government of the Territory. The whole of the former Ordinance is repealed and re-enacted with the necessary changes to effect this purpose. Opportunity is taken to increase the levels of compensation being paid and also to organize the payments so that in future years the levels will reflect changes in the cost of living and in average levels paid to workmen in the Territory. Mr. Chairman, since our last Council Session in Dawson there have been some amendments made to the Ordinance of the requests made by Members of Territorial Council and I'm sure Mr. Finland will lead us into those as we go along.

Mr. Tanner: Mr. Chairman, there is one point that hasn't been made and I think before we start to read it there is one thing that I asked to be made and I still haven't had a reason or explanation, particularly from the Legal Adviser as to why we're going to Workmen's Compensation Act and not the Employees Compensation Act.

Mr. Legal Adviser: Every jurisdiction in the world has the same thing and we've got to keep the same thing so people can understand what we're talking about. If it's Employees Compensation it might be thought to be a different thing, might be a private scheme for Government Employees or something. If the--come and know term and to change it would make people outside this House a little bit suspicious of what we were doing.

Mr. Chairman: It said in the Commissioner's Opening Address that we have the first Lady Clerk in any Legislature across Canada. Why can't we be the first to have the employees which includes women automatically instead of saying Workmen which doesn't necessary include them.

Mr. Tanner: Now wait a minute now, Mr. Chairman, I want a reply or would you like me to amend the Bill right now and we won't proceed with the Bill at all.

Mr. Chairman: Proceed.

Mr. Tanner: Well I'd like some comment from the Administration as to why we can't change it apart from what the Legal Adviser said. In that case Mr. Chairman, I'd like to move an amendment to this Bill, where it reads workmen, it reads Employees.

Mr. Chairman: As there is no seconder, I wonder if we can proceed through the Bill by reading section by section and dealing with sections as we go. I'm wondering also if Mr. Legal Adviser or any of the witnesses could note any changes that have been made since the Dawson Session as we come to those changes.

Mr. Stutter: Mr. Chairman, I would like to draw the attention of everybody for one obvious change, and that is on all three of these Bills, on the top right hand corner, it says final copy. Maybe, I'm being a bit picky, I would like to point that out that I object to it.

Mr. Chamberlist: Well, with respect, I appreciate the Honourable Member's remarks, but in going over these Ordinances in Legislative Programming Committee, we've gone through the work so hard, with everybody so often, that there were so many copies of it, and thought there should be no confusion as to the copies that we should be dealing with today. They were marked for that specific purpose and for no other purpose, I can assure you that.

Mr. Tanner: Mr. Chairman, can I ask Mr. Hough whether he has read the submission by E. A. Whitehead, by Mr. Sills.

Mr. Hough: Mr. Chairman, I have.

Mr. Tanner: Would you comment on it Mr. Hough, and in particular page 3. Mr. Chairman, I refer in particular to the million dollars that they claim as the approximate total revenue in the Yukon.

Mr. Hough: Mr. Chairman, I did the original forecast. I was using the basis of the actual earnings of \$7600. As you know, it has been increased, if this Ordinance is passed, I believe to \$9000, and it's going to generate considerably more revenue in the initial year.

Mr. Hough: On the basis of my original forecast, I don't know where Mr. Sills got his figures from, but they were very, very close. This source of revenue would run approximately \$1,000,000. He has mentioned each use of figures here, of a \$1,000,000 here and that you cannot afford to pay a loss of \$1,500,000. Now, if you did run into certain circumstances as this, and I'm not saying it's not possible, but I would say it's very unlikely, you're not going to have to pay that \$1,500,000 in a year, you amortize over many years, and you have your ups and downs. You can run into a deficit, it would be a book deficit, because as they say, you are not going to have to pay \$1,500,000. in one year. You may have to cut it up, provide for it and do it for the subsequent years.

Mr. Legal Adviser: Mr. Chairman, may I ask Mr. Hough if he would comment on the fact that Mr. Sills also says while the Provincial Governments have government plans, we haven't had them in the Yukon because, as I understand that two or three companies have tried it, and they all had a loss. Why, can now Territorial Government handle it, when private companies can't?

Mr. Hough: Mr. Chairman, I am not prepared to answer that question because I have no knowledge of any insurance companies or insurers who, shall we say, are both trying to handle it. Maybe there has been, but I don't know of any. There are other insurers who have been in here other than the main one. In fact, I think, if I may say so, all of your air crews are covered by an outside insurer.

Mr. Tanner: Mr. Chairman, has Mr. Hough got any other particular observations on the whole submission?

Mr. Hough: Mr. Chairman, I don't think I have on this submission. The only comment that I might be interested in and I don't think we would get it, is how many rates were reduced to employers in the Yukon subsequent to the time that the first analysis started.

Mr. Stutter: I just have one question for Mr. Hough on this particular submission, and that is whether Mr. Sills continually refers to any loss or any added burden on the Fund being put back to a taxpayer. Surely this Fund would be a self-funding fund, and in no way would a taxpayer at any time be saddled with any portion of the burden. Have I read that or am I correct in making that statement or not?

Mr. Hough: Mr. Chairman, I would agree with Mr. Speaker on that, except that it doesn't matter what type of legislation. It does eventually come back to the taxpayer, but it's not adding a burden to your costs, but you are going to add that on to whatever product you are selling or whatever business you are in, you take it into consideration.

Mr. Stutter: So, just to get this absolutely straight, this would be somewhat similar to our Yukon Medicare Plan, it's actually the cost borne by the subscribers to the plan.

Mr. Hough: By industry, yes.

Mr. Chairman: (Reads section 2)
For what purpose was this defined, Mr. Legal Adviser?

Mr. Legal Adviser: To deal with the people who are not being covered. Flight crew members are not covered, so you have to define who is not being covered.

Mr. Finland: I think, Mr. Chairman, I should explain this. It is exactly the same as it is in the regulations, and we have just simply lifted it out of the regulations and put it into the Ordinance.

Mr. Chairman: (Reads section 2)

At this point, I ask what consideration is given Mr. Legal Adviser, to the inclusion of asbestosis under the definition of silicosis?

Mr. Legal Adviser: Mr. Hough might be able to answer that better sir.

Mr. Hough: Mr. Chairman, after the meeting in Dawson in May, or June it was, I was in touch with the B.C. Board, and they handled all the claims they've had so far, in respect of asbestosis, the same as any other industrial disease, charge it through the general fund. They have not set up reserves to cover it, and as far as I can find out from them, there is no board in Canada at the present time, that has set up such a reserve, not on the same basis as they have with silicosis. They just charge it straight through as a regular accident.

Mr. Finland: I might say in elaboration to that, Mr. Chairman, that if he has a recognized condition which is understood to be somewhat different from silicosis, but quite frankly, they just do not have enough information. I guess, to single it out and to deal with it under the same basis, at this particular time.

Mr. Chairman: But it is covered?

Mr. Finland: Yes, as a normal industrial disease.

Mr. Chairman: (Reads section 2 through to 3)

Mr. Stutter: Mr. Chairman, I object to this again. I still fail to see why the exemption should be given to farming and ranching. I think that Mr. Hough gave us a very brief explanation before, but I would like to have it elaborated on a bit further. I think an employee of a farm or a ranch has just as much right to protection on a compensation act as any other employee.

Mr. Hough: Mr. Chairman, all that I can answer here, there are other boards across Canada that have not covered the industry of farming and ranching. The farmer or rancher, in which case it might be, if he wishes to have coverage, may apply to have his own coverage. I think possibly one of the main reasons that it hasn't been covered to date is a question of administration. This may not be your problem up here, and I wouldn't want to comment on it. I don't know how many farmers you have in the territories.

Mr. Stutter: This is part of the point I'm trying to make, Mr. Speaker, or, Mr. Chairman, we don't have any farms or ranches up here and I think it's time that we should. It may be a bit hard to administer, to correct or police farming or ranching, but I still fail to see why an employee of these people -- I worked on a ranch in Alberta before coming up here, and there are many instances where it is quite simple to get into very serious accidents. I think these employees should have coverage, and the employer for the farms or ranches should be made to take out compensation the same as any other employer.

Mr. Hough: Mr. Chairman, I have no further remarks to make on it. If you wish to change it, it's a very simple matter to change it to bring them under.

Mr. McKinnon: Agreed.

Mr. Stutter: Mr. Chairman, I would like to make an amendment to this, that there be no exemptions given to the industries of farming or ranching under this Ordinance.

Mr. McKinnon: I'll second that motion, Mr. Chairman.

Mr. Chairman: I wonder if I could have a copy of that motion? Is this to exclude all of section 3?

Mr. Stutter: Well, Mr. Chairman, I think the Administration would have to look at it; then any other clauses that were overlapping would have to be changed accordingly.

Mrs. Watson: Mr. Chairman, I wonder if the Honourable Members would give us the opportunity of looking at this very carefully and looking at all of the ramifications involved in eliminating these two industries and bringing them in, and report back to the House?

Mr. Stutter: Mr. Chairman, with respect, I believe that it's up to us, the Councillors sitting around here, to decide whether we want to make this decision or not.

Mrs. Watson: The point I'm making is that we have all the information on which you can make your decision at this time.

Mr. Tanner: Mr. Chairman, on a point of order, I've got some questions on section 3, paragraph (2), the next one down. I'd like to see it deleted; I asked for it last time. I notice that it's one of the few submissions we have asked for. Either it should be deleted, I think, or the specific exclusion should be written into the Ordinance. I, too, would support a review of section 3.

Mr. Stutter: Mr. Chairman, as mover of the amendment, if I could be assured that twenty-four hours, between now and tomorrow, would be sufficient for the Executive Committee or the Administration to look into this and come back with a report, I'm willing to let it shelf at this time if it's agreeable with the seconder. Is the seconder agreed?

Mr. McKinnon: Agreed.

Mr. Chairman: Then the Chair has it that the Administration will come back tomorrow with some information as to section 3. I'll proceed with Section 4. (Reads section 4)

Mr. Tanner: Mr. Chairman, one of the hangups I have with this particular Ordinance in this area is -- I think it's been pointed out in one of the submissions we have, the fact that the Commissioner here has the discretion to set the rate; he's also basically in charge of the whole plan; and finally, he's also the last court of appeal. It seems to me that there should be some differentiation as far as when the Commissioner sets the rates, who the appeal is to. For example, supposing in this case, in section 4(1), the Commissioner decides that this particular industry has in the business employees more likely to claim under the Ordinance, and then the industry wants to appeal and they have to appeal to the Commissioner, who set the specific rate in the first place. I think that should be written in some way where either he doesn't set the rates; the referee sets the rates; or he doesn't have the appeal; the referee has the appeal. Mr. Chairman, perhaps Mr. Fingland would like to comment on what I have said?

Mr. Fingland: Mr. Chairman, this section has to be taken in conjunction with the merit rating, which is another section later on, and this is a standard clause in workmen's compensation legislation that enables the rates to

be struck in relation to the hazard of the industry. We feel that it's essential to be able to vary these rates depending on the risks involved.

Mr. Tanner: I'm quite sure that's true, Mr. Chairman. In the provinces, for example, and I don't think there's a comparison to be made in the Northwest Territories, but in the provinces, the Commissioner is not the same person that he is here. The rates would be struck surely by a Board, wouldn't they? In this case, it's the Commissioner, and the Commissioner is also the Board of Appeal.

Mr. Legal Adviser: Mr. Chairman, the same thing occurs in the provinces. The Board sets the rate and the Board is the kind of Court of Appeal. We are merely following custom in this area.

Mr. Tanner: I don't see how any industry can ever win then. Supposing, for some peculiar reason, an industry is unjustly penalized, who do they appeal to but the guy who sets the penalty in the first place. It doesn't make sense; I don't care if it's happening in the provinces or not; it just doesn't make sense.

Mr. Legal Adviser: This system has worked very well and there have been no complaints with industry anywhere in Canada to my knowledge. I hesitate to advise a change.

Mr. Chairman: Just from the Chair, in relation to this section, I think it relates to the class and subclasses, and I've found one fault with the proposed class and subclasses in terms of lumbering. Under lumbering, the highest premium to be paid is 7 percent, and it has been pointed out to me that within a lumbering operation, you have clerical staff, you have truck drivers, you have equipment operators, and, indeed, lumber milling operators who are not related to a logging operation at all, where this exceptionally high premium is calculated. I would like to ask that consideration be given in the classes subclasses to differentiating between the various occupations which may be generally lumped into what may be considered a lumbering operation, and possibly suggest that as a starter, one could consider breaking it into at least two categories; logging operations, as they've done in Alberta, and lumber milling operations. I don't think that it would be fair to charge anyone in the logging business this excessively high fee for employees who are not engaged in a hazardous part of the operation. I wonder if I could have some comments on that?

Mr. Hough: Mr. Chairman, I don't think that, first of all, you want to get into an occupational rating basis or you're in trouble. As far as breaking it down into two classes, there is no problem there. There is a lumbering operation in the Territory. It's not a large operation. It might be that they should be considered to be put into a class or subclass of another industry to help cover up if they should have a bad year. Now, this rate that was arrived at was taken from experiences which I was able to obtain from your records here in the Territory. As I say, there is no problem in breaking it into two classes; one for your logging and one for your milling operations. But, I would strongly recommend that you stay away from occupational rating; that is, a rate for stenographers, if there are any, because what are you going to do with your other industries. You would have to follow it through your entire setup. I'm telling you, you would be in nothing but trouble, and you still require the same amount of money. So, if you give them a rate for office staff of 25 cents, 1/4 of 1 percent, you're going to have to tack it on to the other end because you're going to require so much money.

Mr. Chairman: Well, I would certainly like to see some division between what is a logging operation and what is a milling operation. I think it's rather important because the experience of the provinces, as indicated by the Alberta classifications, indicate that they have taken this into consideration.

Mr. Hough: Mr. Chairman, I think we can assure you that we would be prepared to take a look at that. Actually, this is precisely why this section is worded the way it is. It is to enable us to make that kind of decision.

Mr. Chairman: My concern was whether it would, indeed, be made.

Mr. Hough: I don't think I could say just at the moment.

Mr. Chairman: Anything further on section 4? (Reads section 5(1)) I would assume that would include helicopters. Is that correct?

Mr. Hough: That's right.

Mr. Chairman: (Reads section 5(2))

Mr. McKinnon: I still can't understand the exemption of the definition of domestic servant. I see that there is every category defined in the interpretation section. Flight crew member has been added; outworker is defined; everything is defined except the domestic servant. I can see how you can prevent yourselves from getting into trouble as to just what a domestic servant is or is not.

Mr. Legal Adviser: The courts have defined just what a domestic servant is or is not over a long period of years. We may not know just what a domestic servant is, but the judges are used to domestic servants and they know what they are.

Mr. Tanner: Are there really that many domestic servants in employment now that it matters? It's the same as the three farmers that we were trying to work this out for, isn't it?

Mr. Legal Adviser: The reason is, Mr. Chairman, because a domestic servant is employed in a private house. If that person were employed, for instance, as a chambermaid in a hotel, she then becomes covered because she is working for an industry, not in private employment.

Mr. Tanner: That's the point I'm trying to make, Mr. Chairman. There aren't many domestic servants to speak of in this country anymore. What does it matter?

Mr. Chairman: (Reads section 6)

Mr. Chairman: What is this word "diligence" in here for, Mr. Legal Adviser?

Mr. Legal Adviser: To overcome the sultry nature with which lawyers do their work.

Mr. Chamberlist: A rotten piece of legislation was written by some legal advisor.

Mr. Tanner: Could we have it a little bit better defined than that?

Mr. Legal Adviser: Well, it means that there is some pressure on the person to hurry on with his life.

Mr. Chairman: (Reads section 6(12))

Mr. Legal Adviser: Mr. Chairman, the second line should be "he" in deference to people present.

Mr. Chairman: The Commissioner is not an "it"...Alright has everybody noted the typographical error? I note that there are additional sections here that are supposed to be brought before Committee.

Mr. Legal Adviser: Somebody else could explain them, Mr. Chairman.

Mr. Chamberlist: I could say that there were some amendments to the Ordinance that we had in Dawson and these could be explained as we go along.

Mr. Chairman: The Chair would ask that whenever we encounter a difference between the two you could bring this to our attention.

Mr. Fingland: We can do that, Mr. Chairman, I have been waiting until you read them. Now I can do it at the outset if you would like to know ahead of time. There are extensive additions to this particular section, Mr. Chairman, namely to provide for reciprocal arrangements with other jurisdictions and to cover compensable accidents which occur outside our jurisdiction. These were very seriously inadequate as covered in the old draft.

Mr. Chairman: (Reads section 7)

Mr. Tanner: I think I asked before but is "serious" defined in the sense of "serious disability"?

Mr. Legal Adviser: People would have to guess what it is and if they disagree. People then are free to decide whether it is serious or not.

Mr. Chairman: (Reads section 7(12))

Mr. Chamberlist: Mr. Chairman, a point here too, I've noted on my legislation from Dawson who has the burden of proof. I noticed that the United Keno Hill Mines asked the same thing. I wonder whether the Legal Adviser has looked at their suggestions and doesn't feel it has some merit, as it doesn't put the burden of proof on either the workers or companies. Is it a little bit more clearly defined, or what is his opinion of the submissions from Keno Hill?

Mr. Legal Adviser: I haven't read the submission from Keno Hill. I don't agree with it.

Mr. Tanner: Well as I read the legislation now, Mr. Legal Adviser, if a man is found dead at his place of employment it is the obligation of the company to presume to pay for Workmen's Compensation and he is dead as a cause of his employment unless it is proved otherwise.

Mr. Legal Adviser: This particular employer may be misapprehending the purpose of the Ordinance. The employer does not pay compensation. Compensation is paid out of the funds, so the payment of compensation is primarily a matter between the dependant of the dead workman and the Compensation Fund. So in the interests of that, what they have done is they have provided a presumption that a death occurring in a lawful place on a job was caused by the job at least to the extent that is provided by Workmen's Compensation, but no other purpose imputing negligence or anything else as far as the employer is concerned.

Page 10
July 24, 1973
3:42 p.m.

Mr. Tanner: I don't altogether agree with the Legal Adviser, because supposing due to an accident, a number of employees were found dead in a certain area on their job, particularly in a mine, and the Commissioner in his capacity to do so said, "O.K. you've got a hazardous business, so consequently we're going to impose a special rate on you" that is what I think they're concerned about rather than the fact that of course they realize they don't have to pay the Workmen's Compensation themselves.

Mr. Legal Adviser: I agree Mr. Chairman, but the Honourable Member started off his question by saying where, because of an accident, a number of men were found dead on a job. If, because of an accident, a number of men were found dead on a job, it would appear to be a very hazardous occupation indeed, and would be the subject of consideration by the Workmen's Compensation Board in advising on the rates.

Mr. Tanner: All right Mr. Chairman, preclude the word "accident", where a number of people under this section are found dead on the job, and it could happen, particularly in the mines, the rates the mines are paying would go up. The presumption is immediately as you read that paragraph, at least in the way I read that paragraph, that it is the mine's obligation to prove that they didn't die through negligence on the part of the company.

Mr. Legal Adviser: There is nothing I can do with the mine at all, Mr. Chairman. It is purely a matter of do the dependants of the dead workman get compensation or not? The presumption I think of the process must be in favor of the dependants.

Mr. Chairman: (Reads section 7(4))

Mr. Rivett: What's the situation when somebody gets injured on the first hour on the job, does the employer generally pay for the rest of the shift, and then compensation takes over the next day, is that how it's done?

Mr. Hough: I can't really answer if they do in every case, in many cases they do pay for that day. Some years ago we had a three day waiting period in Alberta, but that was reduced to the one day.

Mr. Rivett: Can I inquire if anybody knows what is the general procedure on this? They usually get paid for the full day, don't they? And then the compensation starts the next day?

Mr. Hough: Mr. Chairman, I think that is entirely up to the employer and ... The arrangement is that on the day of the accident, compensation does not occur, it does not start on that day, it does not start the day after the day on which the accident occurred.

Mr. Commissioner: In other words, Mr. Chairman, I would assume that the answer to Mr. Speaker's question is that it would be subject to negotiations between the employer and the employee, be it union contract or what have you, if the equivalent of compensation was to be paid for the balance of the day in which the accident occurred.

Mr. Chairman: I think at this time we will declare a short recess.

RECESS

Mr. Chairman: At this time, I'll call Committee back to order.

Mr. Tanner: Mr. Chairman, before we proceed with section 8, I would like to back up. I read section 7(4) during coffee break and on re-reading our Ordinance it does seem a bit ambiguous in (a) and (b) stating that arising out of employment that the workman will be presumed to be in the course of such employment. I wonder if there was really any merit in the possibility of this being established?

Mr. Hough: Mr. Chairman, I am going to look some notes over here if I may. All I can really comment on is that this section is identical to the Alberta section 25. The context of this section is practically identical to section 19(4) of the Alberta Act and I think it was in your previous Ordinance and I think possibly I would prefer if your Legal Adviser could elaborate on it since it is a claims matter.

Mr. Legal Adviser: Well that merely is to define a possible legal conflict, that arises out of court language, when they say "arise out of the course of employment" or "out of his employment" and they make the two terms exactly similar, one means the other.

Mr. Stutter: I'm just wondering if the objection that has been put forward by United Keno Hill, if this same section occurs in the Alberta Legislation, I would like to ask Mr. Hough if this type of a situation has been brought before the Board in Alberta.

Mr. Hough: Mr. Chairman, not to my knowledge.

Mr. Chairman: Anything further on section 7? (Reads section 8(1))

Mr. Tanner: With the Council's indulgence I ask the Legal Adviser to show me the Alberta Act where section 4 appears because there is nothing in our old Act and I notice that Mr. Hough has the Alberta Act in front of him. With the House's indulgence I would like to go back to section 4 to find out where section 4 or the equivalent is in the Alberta Act. I'm sorry, section 4, subsection (1). It's not 4(1) of our old Ordinance, it must have been taken out of the Alberta Ordinance.

Mr. Tanner: I would suggest that we could carry on and then Mr. Hough could show me privately and then I could bring it up later on.

Mr. Chairman: (Reads section 8(2))

Mr. Hough: Mr. Chairman, I should say that this could have a bearing on what we do about filing an action.

Mr. Chairman: Would this not properly read "compensation is not payable under this section?" Should that not be included, Mr. Legal Adviser?

Mr. Legal Adviser: Not actually in those words, but some form of identification should be there to identify the employer as being the employer.

Mr. Chairman: I think it's important that we collect on this section and not on the total Ordinance.

Mr. Stutter: Mr. Chairman, could I get Mr. Fingland to verify his remarks that he just made, that this would have to be taken into consideration where it became a farmer. My objections with farming and ranching were more for the employees of that person. I realize that the farmer or rancher himself ...

Mr. Fingland: I'm sorry, Mr. Chairman. I may be confused about this. We've had a great deal of difficulty differentiating between an employer, as such, and an industry, and to make it quite clear what we are referring to. I may have made an error here, Mr. Chairman. I'll have to check that.

Mr. Hough: Mr. Chairman, if you would like me to just remark on this, under section 8, subsections (1) to (5), or (1) to (4), this deals with members of employers' families and coverage. Now, subsection (5) starts in to deal with the employer. Now, this is not a corporation; this is an individual who is employing, and he may have members of his family working for him. He, himself, cannot employ unless he is an employer. This starts in at (5) and includes (6) and (7) and (8). There are really two distinct provisions here; one is for the members of the family and the other is for the employer.

Mr. Fingland: But this refers only to this section.

Mr. Hough: Only to this section.

Mr. Chairman: There is a point made by the Chair that there should be some reference made within section 8 stating that there is no compensation payable under this section to an employer. It should be made clear.

Mr. Chamberlist: Does Mr. Chairman mean in relation to section 6, from 8 to 6?

Mr. Chairman: Section 8 itself. You say compensation is not payable to an employer; you do not say compensation is not payable under this section to an employer.

Mr. Legal Adviser: I don't think there are any other sections where an employer would ever get compensation, so we are correct in making sure of that. Otherwise, it would be correctly identified.

Mr. Chamberlist: Mr. Chairman, I wonder if Mr. Hough could ... supposing there's an employer who has just one employee. He might be in the electrical or plumbing business and has a helper whom he goes out and does plumbing with. Couldn't he insure himself under compensation at the same time as he insures his helper?

Mr. Hough: Mr. Chairman, he can and this is the section that provides for him to apply. But, he must be an employer before he can apply.

Mr. Chairman: Anything further? (Reads section 8(6) through to (9))

Mr. Chamberlist: A Board of Trustees is not a corporate body.

Mr. Tanner: L.I.O. -- Board of Trustees?

Mr. Legal Adviser: I hate to disagree with the Honourable Member, but it is a corporate body.

Mr. McKinnon: What about Administrators?

Mr. Legal Adviser: Yes, he is a corporate body; he is an incorporation soul.

Mr. Chamberlist: Just like the Bishop.

Mr. Chairman: Does this mean that in order to, for instance, for municipalities or local improvement districts, or the like, that in order to cover their employees -- or does this just effect the Council?

Mr. Legal Adviser: The employees are automatically covered.

Mr. Chairman: (Reads section 8(10)) Could we have an explanation on this?

Mr. Fingland: Mr. Chairman, there's a word change there from the old Bill. We've added the words "with cause", which was requested at the last Session.

Mr. Chairman: (Reads section 8(11) through to section 9)

Mr. Fingland: Mr. Chairman, there's a minor correction in that section. We've added the "may" as there was no verb, or there was a verb but it was the wrong way of expressing it.

Mr. Chairman: (Reads section 10)

Mr. Tanner: Mr. Chairman, I think I've got the nub of what I'm talking about here now. I'll try to explain my hold-up: In Alberta we have a board. In the Yukon we've got to have a referee. Is that correct? Okay. In our section 4 the Commissioner may establish some classifications of rate. In Alberta it says exactly the same thing except it is the Board who may establish the rate. Now why don't we have our referee appointed to establish the rate and do all the things he's doing rather than the Commissioner as in section 4? It seems to me very basic to the Ordinance.

Mr. Legal Adviser: It's a basic difference that's in the Constitutions that we have here. We do not give to Boards the right to do these things. We retain them in this House, and the Commissioner has been authorized by this House to do certain things, and he must do them according to the law. So, we appoint these Boards to be our referees, and the officer who is dealing on behalf of this Council with the referee, who makes regulations and decides things, answers to the Commissioner.

Mr. Tanner: Mr. Chairman, I don't think that's policy. Obviously, if we appoint a Board or a referee, he answers to the House as well. If the purpose of this Ordinance is to basically become the same in all respects as the provinces as far as workmen's compensation is concerned, it seems to me that the logical thing would be that the referee should have that power to differentiate. Are we really just playing games with words and is he in fact the man who is going to make those changes in rates. If not, we might as well say the referee.

Mr. Legal Adviser: Mr. Chairman, we've taken this particular position in other legislation, such as when we appoint a Board to deal with the Public Service arbitration and so forth. We don't give that Board power to make regulations. We say, the Commissioner may, with the approval of the Board, make regulations, and so forth, and then necessary constitutional provisions to safeguard our constitutional position are made. You've always fought to stop anyone else making law except this House, and it's the single authorized delegate, not the double authorized delegate.

Mr. Tanner: Are the other Members of Committee satisfied with that explanation? Quite frankly, I can't see it.

Mr. Fingland: Really, Mr. Chairman, I think a source of difficulty here is the fact that there is not a Board in the Yukon, a Workmen's Compensation Board as such. In the provinces, the administration of workmen's compensation legislation is put into the hands of the Board. The Board is established under the legislation and they are given the authority for managing and operating the workmen's compensation system in the Yukon because there is no Board as such, and since the administration of the Territory and the administration of other forms of legislation are

Mr. Fingland continued:

specified as being the Commissioner, we use the Commissioner all the way through this Ordinance instead of the Board as it would be in the provinces. The referee is something quite different in the sense that it's a quasi judicial body; it's a body which handles complaints or differences of view about any particular situation resulting from the application of the Ordinance. I think it would be really inappropriate to give the referee the authority to strike the assessment. Now, that doesn't mean that the Commissioner can't refer questions or matters of difficulty arising from the administration of the Ordinance to the referee; in fact, he would do so. But, it means that for the purposes of this Ordinance, we would use the word referee instead of Board as would be in a provincial jurisdiction.

Mr. Tanner: Thanks for the explanation, Mr. Fingland, but it's in conflict to what the Legal Adviser said. I specifically asked in the first place, is our referee equivalent to the Board, and his answer was yes. That's basically what my argument is. Now we're saying that the referee hasn't got all the powers of the Board and he's not equivalent to a Board and consequently, the wording here, he can't make the comparison. Is that correct?

Mr. McKinnon: Mr. Chairman, the Honourable Member for Whitehorse North not only raises a difficult point, but he has raised actually an impossible point for a Member sitting around this Table to make. We're in an absolutely impossible constitutional dilemma when it comes to regulation making powers under this system of government that the Yukon now finds itself in. You can dilute the constitutional position by taking all the regulatory powers away from the Commissioner and putting them in the hands of this Legislative Body. Once responsible government comes to the Yukon, and God help us if it ever does, then you will have the position where you'll have to go back through all the regulations and all the Ordinances, and have a real constitutional play with the opposition on trying to get those regulations back into the hands of the governing body. In section 11(1), the next section, really, on the grounds of us being a colonial body in the Yukon, and giving to the referee and ultimately the Commissioner the decision, without any recourse to appeal or through courts or essentially to this Council, is throwing away all the rights of this Legislature, and yet you're in the constitutional position that if you don't let this happen, then at some point in time, you're going to have an impossible situation of wresting this power back into the Legislature when it becomes a responsible body, because there is nothing like a bureaucrat who hangs on to power, as long as he can and as often as he can if he can do it. So, on the strength of section 11(1), without it defeats the argument that everyone's making; they say this is the same as in all the provinces and you can't let that power slip away from the referee. But, that's all right because at least there the public is protected because the body is responsible to the Lieutenant Governor in Council who is making those regulations and those regulations are controlled by an elected body. That isn't true in the Yukon Territory. How to get around that constitutional dilemma is one that every Member of Council has to really search his conscience on. It's really a difficult enough point to defeat an Ordinance of this type in, depending on whether you think that giving this regulatory authority to an employee of the Department of Indian Affairs and Northern Development is valid enough.

Mr. Tanner: The argument should be there, but not as far as the Ordinance is concerned; it is whether or not the Executive Committee system is working as the regular power is being reviewed. And, if I happen to think it is, if it is then we have just got to hope for more Executive power so I really can't see your point of view at all, Councilor McKinnon.

Mr. Chairman: (Reads section 11(1) through to (5). What does "things" involve, Mr. Legal Adviser?

Mr. Legal Adviser: It's not a book, paper or documents. Mr. Chairman, it's a portmanteau.

Mr. Tanner: Mr. Chairman, I think that last time, I understood that they were going to have - that Mr. Legal Adviser said that they would use articles pertinent to the inquiry and seeing that this very gentleman is not up to the usual ability of the Legal Adviser to write such words, I think he should try to improve and be a little more specific on it.

Mr. Chairman: (Reads section 11(6) through to (9)) I think that I stated in the last go around speaking from the Chair that this appeal should be appealable in the courts.

Mr. Fingland: There is a very long history of this, if I may say so, Mr. Chairman, for not having it appealable through the court. It is a well established principle across the country and other jurisdictions.

Mr. Tanner: Mr. Chairman, can't we have that changed to be better defined? I think it must be something missed in the rewriting. The articles pertinent to the inquiry seems much more reasonable to me than just "things".

Mr. Legal Adviser: Mr. Chairman, you can't put a phrase like that in this particular place because it then opens up the argument whether it's pertinent or not. The order is issued to a person to bring something to court and he brings it when he is ordered. He doesn't get into a hassle whether or not he brings it, he argues when he gets to court. He won't tell the other whether it's relevant or not and so on. But at the first instance he is compelled to obey the court order.

Mr. Tanner: But, Mr. Chairman, I think the Legal Adviser has got to admit that we don't usually write legislation with such vagueness. It's a pretty sloppy piece of writing as far as I am concerned. I think that there should be something more specific. I don't think it's unfair to ask that.

Mr. Legal Adviser: It's not intended to be a narrow catch phrase, it's intended to be as wide as possible and the widest possible word is as it appears to be. There are other things besides books, papers and documents.

Mr. Chamberlist: Mr. Chairman, they can be named if people have to bring them to court. You know you have such a thing as a subpoena where a person is told to bring his body, then you can have the subpoena -- duces tecum where you are told in the subpoena what else you have to bring with it and you know, it's a similar type of thing.

Mr. Tanner: Mr. Chairman, it reaches a point of absurdity. He could have said that he could compel anybody to bring anything. That's virtually what the Legal Adviser is saying now.

Mr. Chamberlist: That's right, that's what we need.

Mr. Tanner: And that's the sort of power you want to give him.

Mr. Chairman: (Reads section 12(1) through to 13(1)(b)).

Mr. Tanner: Mr. Chairman, could I ask Mr. Fingland, without going into too much detail the philosophy why it isn't anywhere in the country that the working man doesn't contribute to the workmen's compensation.

Mr. Fingland: As a matter of fact, Mr. Chairman, there's some history in this too. There was a time when a workman did contribute to workmen's compensation and gradually the evolution of workmen's compensation has, everywhere in the country, been to put the burden on the employer.

Mr. Chairman: (Reads section 13(2) through to 14(1)(c)).

Mr. Fingland: Mr. Chairman, the point raised in the submission by United Keno Hill that the heading just prior to section 14(1) should be Recovery by the Commissioner rather than Recovery by Employer. I think that would be a more accurate heading.

Mr. Chairman: (Reads section 15(1) through to 16(4)).

Mr. Commissioner: Mr. Chairman, there's a word here legal personal representative, would this include the public administrator?

Mr. Legal Adviser: Yes.

Mr. Chairman: (Reads section 16(5) through to 17(1)). It's noted in some - by making inquiry into representations in respect to the Ordinance, there was some discussion given to 17(1) and it occurred to me that the problem would be well resolved by enforcement rather than changing or attempting to change the Ordinance. The problem was where workmen working for an employer, suddenly out of the blue, began an action or something of that nature to claim compensation for an accident that the employer had no knowledge of. I am wondering if this has posed any problem in Alberta or how is it enforced?

Mr. Hough: Mr. Chairman, if the workman has an accident, he is required to report it to his employer. Now, if he should not report it for some reason and comes to light under investigation that the Board is satisfied and he hasn't received objections from the employer, there would probably be no problem in accepting the claim. Now if there are objections on behalf of the employer, the board would then investigate all the circumstances surrounding it. It could be that the workman would not, his claim would not be accepted and it might be, depending on what they found in the investigation.

Mr. Hough: I don't think it has been a major problem of the workmen. That reporting, you may run into it where he is last in reporting a back strain. He may twist his back today, carries on work and about three or four days later it acts up on him. These are where you will run into some difficulty, and there is always the question then that he didn't leave word when he twisted it.

Mr. Chairman: (Reads section 17(1) through to 18(2))

Mr. McKinnon: Mr. Chairman, there is a suggestion in one of the briefs that we have received that section 18 (1) (a) be changed to six months and the reason being that it is often difficult to determine what a workman has been doing after he leaves the place of employment and a six month limit could prevent fraudulent claims from being filed. It is quite a valid reason that in a twelve month period a person could have gone out and done any number of things and then come back to the Workmen's Compensation to say I had that accident, the recurrence of it was something that happened in Elsa a year ago.

Mr. Chamberlist: It was (1)(b), 18 (1)(b) that the suggestion was made on reducing the period from 24 months to 6 months.

Mr. Commissioner: With respect Mr. Chairman, this Ordinance is designed to protect the workman, and I strongly recommend any caution on the contraction of any of these five limits that are placed here, and unless it could be shown that the experience was such that it called for a contraction of them I would be very cautious on the contraction of them at this time.

Mr. Fingland: Yes, I have that worry immediately arising again, this was altered in the case of asbestosis, or mercury poisoning or something other than silicosis.

Mr. McKinnon: Yes, this in general is 18 (1)(b). This is probably more difficult in the Yukon than in any other legislation in the country to enforce, it seems like a tangible suggestion that could perhaps prevent some fraudulent claims from being filed, and I feel wholeheartedly that the prime reason for the Ordinance is for the protection of the working person, but that does not preclude the Government's responsibility in taking every opportunity to make sure that fraudulent claims are not going against the Ordinance and all I wanted to hear was to get some advice on the reduction of the 12 month period to a six month period.

Mr. Hough: Mr. Chairman, the Alberta Board uses a 12 month period.

Mr. Chamberlist: With respect, Mr. Chairman, as I read this, 18 (1)(a) whereby the workman within 12 months of the day of the accident or, where the death of the workman results from the accident, then the dependant makes the request within 12 months of the accident. In the case of disability, it is 12 months, but then if after the 12 months something happens, there is an extra time given for the dependant to make the claim just up to 24 months. This is what it seems to intend and I would ask Mr. Hough to verify whether that is correct.

Mr. Hough: In Alberta, insofar as silicosis is concerned, there is no time limit.

Mr. Chamberlist: No time limit. The same is here, but I'm talking about other reasons.

Mr. Hough: The others are twelve months.

Mr. Chamberlist: Even for the dependants as well?

Mr. Hough: Silicosis is then restricted to 12 months.

Mr. Chamberlist: Well, that is what we've got here.

Mr. Chairman: I think that, just again from the Chair, I don't think that silicosis should be restricted to 12 months because it is the nature of the disease that it might take considerably...

Mr. Chamberlist: The dependant then has 24 months to do it.

Mr. Hough: This is (c) I'm speaking of.

Mr. Stutter: Mr. Chairman, it does not read that it would be from the date of detection of silicosis, not necessarily the disease.

Mr. Chairman: Ah, yes, "on which he is found to be so disabled" - - .

Mr. Stutter: You see, I still have the same problem with asbestosis or mercury poisoning, and in the case in the Yukon, asbestosis, which is a disease in not too dissimilar from silicosis, where it could be two, three or four years from the last exposure that the working man becomes disabled noticeably as a result of asbestosis, so we do asbestosis in the Yukon, I think it should really be looked at.

Mr. Chamberlist: Let's check this out and have a look at what the B.C. people have said about this. They have said that asbestosis is within the "general diseases".

Mr. Chairman: That isn't my problem, I agree with that, but I am becoming troubled again when I see that the 12 months to the day on which he was last exposed to the conditions, well if his condition does not present itself for three years from the time he was last exposed, then he is precluded from Workmen's Compensation notwithstanding the fact that he acquired the disease and death or disablement as a result of his employment. You see my argument.

Mr. Chamberlist: Well surely, Mr. Chairman, the medical practitioner who examined this person would have to identify that disease and say how long this disease has been in the person. That is the only way he can say how long. It might not be identified before.

Mr. Chairman: It still doesn't solve my problem.

Mr. Commissioner: I see the point that the Honourable Member is making, but I would like to suggest Mr. Chairman, that this is a relatively new disease, maybe that is a bad terminology to use, but I think it would be a matter of acquiring some kind of medical history and hopefully the industry and the workmen would be making representation to this Government when more history is available so that compensation, if justified, would be made for the particular condition that you are speaking about. I see your point very clearly, but I think that you would not disagree that the medical history at the moment of this particular situation is such that it would be very difficult for us to make provision for it in the same manner or along similar lines with what has happened with silicosis. Generally speaking, that is what Mr. Hough's information is from other jurisdictions.

Mr. Chairman: Well, I'm still not completely happy, but I would hope that the Administration would pursue this thing until possibly we can determine what effects asbestosis would have in respect of this Ordinance. I don't think it would be fair to have someone suffer an industrial disease such as asbestosis and not be able to be covered or his dependants be covered from the results of that.

Page 15
Tuesday, July 24, 1973
4:57 P.M.

Mr. Chairman: (Reads section 19(1)).

Mr. Finland: Mr. Chairman, there is a minor change. In the third last line we have added the words "shall make". In the old Bill, it was "and make".

Mr. Chairman: (Reads section 19(2) through to (3))
I think that in this point of time - are there any further questions?

Mr. McKinnon: I'd like, Mr. Chairman, Committee's ideas that -- I have checked with MOT up the hill and it appears to be our one week of summer in the Yukon Territory that we are going to average this year and I think that everyone is just frazzled by the heat of the afternoon. Maybe it will be much better tonight, I was wondering if it wouldn't be a very humane act for our wives and our families and for the public service of the Yukon Territory, for the trapped witnesses for the public, everyone involved if for this season because of the weather conditions, if we didn't revert from 10 to 12 back to 5 for these next few days. Of course, I am going to go along with what Committee wants it would just seem to be very humane for everyone to revert this week to the other time schedule. I don't want to make an issue out of this, if it's going to enter into controversy, I will drop it right now, but it would be, I think, extremely nice if Mr. Speaker resume the Chair and report to the Committee and Council come back into session at 10 o'clock in the morning. I think that would be very nice and everyone in the Yukon would appreciate it.

Mr. Chamberlist: Mr. Chairman, if for no other reason than I am a very, very tired man and would probably like to get a few hours sleep, I see no objection. I think what the Honourable Member for Whitehorse West has said, with regards to taking advantage of the weather, I have no objection at all.

Mr. Tanner: Mr. Chairman, I have a very strong objection. Two reasons. First of all, it's just as likely to be hot tomorrow morning and during the day as it is this evening, it should be cooler when the sun goes down. And secondly, most important of all, there are still a lot of motions before the House, some very controversial. The public should have the opportunity to come here after work and they have to work and I don't see any reason why they should be denied the chance to come and listen if they are so interested, this evening or any other evening.

Mrs. Watson: Mr. Chairman, I thought we were talking about the nice weather during the day and the Honourable Member suggested we sit during the day.

Mr. Chamberlist: In that case, Mr. Chairman, as we have voted on this before, I tend to agree to leave it for tonight and continue especially and perhaps we can review it again and continue a full days work then.

Mr. Chairman: Well, does the Chair take it that we return this evening? I think in view of that we will declare that Committee stand recessed until 7 o'clock this evening.

RECESS

Page 16
July 24, 1973
7:00 p.m.

Mr. Chairman: I'll call Committee to order. (Reads section 20)

Mr. Rivett: Mr. Chairman, have these reports been looked after? It seems to me that there is an administrative detail here, have the reports been made out? Has anyone thought of having them printed?

Mr. Fingland: Oh yes, the forms have all been printed.

Mr. Chairman: (Reads section 20(2))

Mr. Fingland: Mr. Chairman, perhaps I should say here that subsections (1) and (2) are new.

Mr. Chairman: (Reads section 20(4) through to 21(1))

Mr. Fingland: Mr. Chairman, a point has been raised in the admissions that have been circulated that in addition to the Commissioner and the referee, that there should be reference to the medical practitioner as well in that subsection. That seems to us to be a reasonable suggestion and would be worth including.

Mr. Chairman: Committee agreed? Let it be so noted. It would be "the medical practitioner." And I believe that (2) would follow. (Reads section 21(2))
With the inclusion of "or the medical practitioner" in subsection (2).

Mr. Tanner: Mr. Chairman, in the second sentence in that paragraph, the Commissioner has a choice as to whether he may approve of a medical examination, and if he does use his discretion there and does approve and use the "may" shouldn't the obligation then be that he should pay for the investigation afterwards? Shouldn't it be "shall" rather than "may"? It means "shall"? Why isn't it "shall" then?

Mr. Chairman: (Reads section 22(1) through to 23(1))
This section for permission to reside outside of Canada, should this not be stated for the purposes of this Ordinance or something? I don't think the Commissioner should have the overall right to grant or not grant permission for a person to live outside of Canada. Legal Adviser?

Mr. Hough: Mr. Chairman, it says for a workman to whom compensation is payable, which would be under this Ordinance, would it not?

Mr. Chairman: But it says where he leaves Canada, it doesn't say for which reason he leaves.

Mr. Fingland: I think you have to look at subsection (2), Mr. Chairman.

Mr. Chairman: All right, subsection (2). (Reads section 23(2))

Mr. Tanner: Mr. Chairman, two things. First of all I noticed one of the submissions here has a notation about it, and I wonder whether Mr. Fingland would like to comment on it? The second thing is if everything else is equal and the Commissioner is satisfied with the evidence that the action or disability took place while he was employed in the Territory, and if he can get medical advice to that effect from England or from another country, why should he have to go to his own expense to come back again? Why is one conditional to the other? In other words, he has to be examined by our doctors, but supposing our doctor happens to be the appointed doctor of another country?

Mr. Chamberlist: The referee may require.

Mr. Tanner: Yes, but Mr. Chairman, it specifically says that unless he returns of his own expense for such medical examination such as the Commissioner or the referee may require. Now, he can have a medical examina-

tion in another country and we might be satisfied that this is a perfectly bona fide case, but he still has to return at his own expense unless we make the trip at the discretion of the referee or Commissioner and also the medical examiner.

Mr. Fingland: The only reason I know of, Mr. Chairman, for that is to ensure that there is full control over the situation. Circumstances for which he claims he is going to be claiming compensation would have to be circumstances which are always in the Territory or at least in the circumstances in Canada covered by this Ordinance.

Mr. Tanner: Yes, Mr. Chairman, what I'm saying is that perhaps the referee and the Commissioner can be satisfied by a doctor in a different country that the circumstances are genuine and they are satisfied that they should be paid, but the legislation as it reads now compels the man to come back in spite of that.

Mr. Chamberlist: I would give way to that, at this point.

Mr. Fingland: I'm not so sure, Mr. Chairman, we have no control over the doctor, or anything else. We have no ability to require the production of documents or forms or anything else.

Mr. Chamberlist: I don't think, Mr. Chairman, that Councillor Tanner has been too exact. Looking at this again and putting in the abbreviation in some places as one reads it it appears that he wouldn't be entitled to compensation unless he returns at his own expense to be examined by a doctor of the choice of the Commissioner or referee in Canada. Now, cannot one person say "I have a doctor here. This is his name. Here are his qualifications. Will you accept this doctor? Will you send the forms?" Why not?

Mr. Fingland: Well then, the question is just with the words "unless he returns at his own expense" is that not it? Well perhaps we can look at it. Can we leave it and look at it to see what the implications are?

Mr. Tanner: We can look at it again.

Mr. Legal Adviser: This only applies to the case where he has left first and then claims compensation. I think the Board has the right to require to attend to any doctor for checking, and not have to accept his doctor. Now they may, they don't have to require him to return, they may be satisfied with the doctor in Europe or elsewhere, but if they wish, I think they should have the right to say, you suffered the accident here, you went away, come back to us to show us examinations, proof, what-have-you. I think it is necessary.

Mr. Chamberlist: Mr. Chairman, I see it in another light now, I was reading it as if after the person was granted compensation and he went abroad, for a re-examination he would have to come back at his own expense. I see this is something different now.

Mr. Fingland: Actually, it prevents him entirely from compensation unless he returns to Canada.

Mr. Tanner: Yes, but that's my whole point, Mr. Chairman. The circumstances could arise where we are satisfied that the medical advice coming from some other country, that we're perfectly happy with it, but we've got to compel him to come back.

Mr. Fingland: I think it is worth looking at again, Mr. Chairman, can we take a minute to look at it.

Mr. Tanner: The other point, Mr. Chairman: Mr. Fingland have you commented on 23(2) as related to the Keno Hill submission?

Mr. Fingland: Well, I think that has already taken care of itself.

Page 17
Tuesday, July 24, 1973
7:25 P.M.

Mr. Chairman: What is the pleasure of Committee, is it that you wish this be reviewed?

Mr. Fingland: No, except subsection(2) Mr. Chairman. I think there is a question of terminology because periodic payments can only be related to pension payments which would be in the case of permanent disability whether partial or total.

Mr. Chairman: May I proceed.(Reads section 24(1))

Mr. Chamberlist: Is there a word missing there, without prior authorization from the Commissioner, change is medical practitioner?

Mr. Chairman: (Reads section 24(1))

Mr. Legal Adviser: Mr. Chairman, the correct spelling of unsanitary should be insanitary. I have that on the advice of the Director of Education.

Mr. Hough: Mr. Chairman, with due respect to our Legal Adviser, I was just watching the Alberta Act. Maybe, our legal brains there have been out because it is unsanitary in the Alberta Act.

Mr. Chamberlist: It is insanitary to do something, but a condition becomes unsanitary.

Mr. Chairman: Unsanitary is the common use, I never heard of insanitary. (Reads section 25(1))

Mr. Rivett: Mr. Chairman, is it common to replace dentures, we had quite a few cases of this. Is it common in other jurisdictions?

Mr. Chairman: Anything further on 25(1)? (Reads section 25(2) through to 26(3))

Mr. Tanner : Mr. Chairman, why in section 26(1), does the referee have the discretion and in subsection(2), but in subsection (3) we bring the Commissioner with the discretion. What is the difference in these three paragraphs?

Mr. Legal Adviser: Mr. Chairman, the referee has these types of discretions supported and representations made to him, and if in fact the Commissioner is involved, he will further it to that brief, and that brief is the question to review these.

Mr. Tanner: I understand, Mr. Chairman, but in two cases we get discretion, that the referee fought his own battling decisions about changing them out to payment, and then the third one, we go back to the Commissioner, while we are being inconsistent, should it not be the referee all the way through or the Commissioner all the way through?

Mr. Legal Adviser: No, Mr. Chairman, it shouldn't be.

Mr. Fingland: I think, Mr. Chairman, in subsection(1) and subsection(2) you are talking about a review. Subsection (3) is where you make advance payments. (1) and (2) are a review situation, (3) just reverts to the normal administration of the funds.

Mrs. Watson: When you are asking for a review, the referee may reduce, terminate or increase. There is no provisions I believe of the claim.

Mr. Fingland: I think the difference there is, Mr. Chairman, is that, it may give him the authority to vary it from what it is at the present time, as what he can do, he can do any one of the three, to alter the existing level. If he doesn't choose to exercise the authority under a, b, or c, it would remain the same.

Mr. Chairman: (Reads section 26(4) through to 26(6))

Mr. Chamberlist: I'd like to ask Mr. Hough a question it's merely because I'm seeking information on this particular area, as I am. The exclusion of people in gaol on compensation, it would appear people who are injured in a gaol would not be subject to compensation payment? The point is that people who are in a gaol, in some cases, receive 50 cents a day or \$1.00 a day compared to what we're doing. They become workmen because they are receiving payment. Now, if I recall in the old Ordinance, we had a clause in there specifically for that particular reason so that these people can be covered, for instance as a result of a working party out doing some work. As part of the Correction's program an inmate injures himself, is that person -- for which he is getting a dollar a day, he can be in the kitchen and chop his finger, is he entitled to compensation?

Mr. Hough: First of all, I would like to ask a question here. Would you consider that this man was employed in an industry to which the Ordinance applies when he is spending time in a gaol?

Mr. Chamberlist: The question is whether he is employed. If he is receiving payment, it would indicate that he is being employed. Perhaps Mr. Legal Adviser would clarify that particular point. Would he be covered by Workmen's Compensation, or, if he had an accident while he was in there, where would the responsibility lie? Would it be common-law responsibility of civil action or something like that?

Mr. Legal Adviser: Mr. Chairman, speaking of the reference of the vocal question, my recollection is this: Where a person who is incarcerated in prison, is on a work program, the Corrections Ordinance provides that he would be covered by Workmen's Compensation. Where he is an ordinary prisoner, if he is injured, then it's the negligence on the part of the prisoner authority to enact against them, if not, then if he falls down, he pays himself.

Mr. Chamberlist: I appreciate that the Corrections Ordinance provides that particular point, but what I want to make sure of is whether it is covered in the Ordinance, and it doesn't appear to be.

Mr. Legal Adviser: It is covered in one Ordinance, we do not normally duplicate the program in a second Ordinance.

Mr. Chamberlist: I don't think I am getting across what I am trying to find out. If the Corrections Ordinance says that something is covered by the Workmen's Compensation Ordinance and the Workmen's Compensation Ordinance is silent in that particular point, does the Corrections Ordinance apply?

Mr. Legal Adviser: Yes.

Mr. Chamberlist: That's what I wanted to know.

Mr. Tanner: Mr. Chairman, I am still not completely clear on why in 26(6) referred to the Commissioner and the rest of the time to the referee. Particularly in 26(6). It does seem where Legal Adviser is again being inconsistent. That whole paragraph 26.

Mr. Legal Adviser: I thought that Mr. Fingland had explained that the administrative organization of this Ordinance will be in the hands of the department of government and the person representing that department is the Commissioner. The decisions on how much people should be paid, then they should be paid, to whom the appeals to apply, these are for the referee which is a Board appointed by the Commissioner to administer that function. We have or may have made a mistake here or there, I don't think so myself, but we have tried to organize it in such a way to divide those responsibilities fairly where they should lie, and to retain the departmental responsibilities in the name of the Commissioner, the judicial responsibilities in the hands of the referee.

Mr. Tanner: Mr. Chairman, I understand that does not jibe with 26(1) because you have given discretion power to the referee here to reduce, increase or terminate the amount.

Mr. Legal Adviser: It's because application is made to review and that's the proper person to do this. He either grants the request or refuses. If he grants it, he grants it one way or the other depending on the request or his decision. And as the Honourable Member knows, the Commissioner of the Territory hasn't any more discretions left.

Mr. Chairman: (Reads section 27(1))

Mr. Chamberlist: Mr. Chairman, something is bothering me. Now if these are compensations to the dependants of the person who lost his finger, the character is going to get paid, but when he comes out of gaol, he's not going to be in a position to carry on with his normal work. This is where -

Mr. Legal Adviser: And then he gets his compensation.

Mr. Chamberlist: But he can't get a new finger.

Mr. Legal Adviser: No he's not entitled to a new finger. He gets money instead. When a person in gaol who is on compensation who has dependants, the dependants get compensation. If he is a bachelor with no dependants then presumably they would go to pay for his room and board because he is getting compensation for not working. It is a just provision.

Mr. Chamberlist: It's just a provision.

Mr. Chairman: (Reads section 28 through to 29)
There's no period after sub-clause (b), is there?

Mr. Chamberlist: You are right.

Mr. Chairman: (Reads section 30(1) through to 30(1)(c).
Was the word not exceeding one hundred five dollars in the actual expense.

Mr. Fingland: We discussed that, Mr. Chairman, but we thought we'd leave it in.

Mr. McKinnon: On both (a) and (c), Mr. Chairman, the point was made that the cost of a funeral in the Yukon was above four hundred dollars for a minimal cost without any great funeral it was more than four hundred dollars and in (c) there are a lot of areas, the example was made at the Dawson Session of a working man having been transported far end of Watson Lake to Old Crow type of thing. But I thought the agreement was made by Committee that in both those areas it would be actual cost.

Mr. Fingland: I think, Mr. Chairman, what we agreed to do was to look at it again and we did examine on a couple of occasions and decided that perhaps we should leave it for further discussion in this session.

Mrs. Watson: I think, Mr. Chairman, one of the big reasons we left it was because of section (b) five hundred and twenty-five for additional expenses because of four hundred. And this is why we thought we would leave it at that.

Mr. Stutter: Mr. Chairman, by leaving it just like that doesn't recognize the possible differential between an employee that dies right in his own home town, the dependant still would get that five hundred and twenty-five dollars. You could still have an employee from Watson Lake or Old Crow going to the other end of the Territory. I can see by leaving it absolutely open-ended and you could run into fantastic expenses if the workman or the employee came from somewhere like Australia, but put limitations that still exceed the five where necessary.

Mr. McKinnon: Mr. Chairman, I think that the actual burial cost for a minimal type funeral in the Yukon runs around six hundred and seventy-five dollars. I just don't think that four hundred dollars is enough. The B.C. compensation I think runs three hundred and eighty dollars. Four hundred dollars is just chintzy. Even where a person dies a resident in his home town, as the Member from Dawson pointed out, the widow is still entitled to five hundred and twenty-five dollars. There are emphasis of heavy equipment operators from a place such as Old Crow who are operating all throughout the Territory. If they died and their bodies were going to be shipped back to Old Crow be that their dependants would get that five hundred dollars also, still the expense of shipping that body back for burial is going to take up that amount that is awarded to the dependant. And it just seems to me that in this point of time, which is an extremely tragic point of time, the Government of the Yukon Territory would be doing the humane thing in a minimal expense to be taking the actual cost of the funeral, the actual cost of the transportation of the body. The point was made in Dawson that if it was to happen have some set up in minimum and maximum in places like B.C. and Alberta where you can put your finger on them but the Yukon being unlike other jurisdictions, in great distances involved, I would think the Government would be acting in an inhumane manner in doing this. I recollect that Mr. Chamberlist admitted that time that there was some merit in it.

Mr. Commissioner: There is something I would like clarification on from our Committee. The statement has been made by the Honourable Member that the basic cost is well over six hundred dollars - is that correct?

Mr. McKinnon: I had a mortician phone and that was the cost that I was given for a middle type funeral. No wailing chorus or anything but a nice funeral.

Mr. Commissioner: Just one other question. I think the Honourable Member said this would be a good thing for the Government of the Yukon Territory to do. I would like to point out to Honourable Members, Mr. Chairman, that this is a self-liquidating fund so really it is going to be the employer's contributions. You can make the benefits as high as you want. I think that the real basic question is, our working group on this satisfied that four hundred dollars will cover a basic funeral. I think if that point was cleared away then you could actually deal with the other questions that were raised, but that question should be dealt with first.

Mr. Chamberlist: Mr. Chairman, I wonder if Committee would give consideration to accepting where the body had to be moved to and where within the Yukon that we would pay the full cost of the removal and set a limit for anywhere beyond.

Mr. Fingland: Mr. Chairman, I think that as far as item (c) is concerned, I would suggest that perhaps that we take a look at the wording that was in the old Ordinance where we provided the two situations. One where the death occurred in the Territory and one where the death occurred outside the Territory.

Mr. Chamberlist: I'm not talking about that.

Mr. Fingland: I'm sorry, where they are residents, within or outside. But, I think the first question is the cost of the funeral, item (a), or are you talking about (c) now? Well, (c) is where I would suggest we take a look at the old Ordinance.

Mr. McKinnon: I think that if upon reflection this could be brought back, then probably in (a), if, after asking some questions, in the area of \$500.00, you might find that your costs are more realistic in the Yukon. Indeed, I would be very much prone to accept the suggestion that was made that if it were a resident residing in the Yukon, that that would be ... I don't think the cost to the Yukon would be much greater because the ones that were ... I just don't think it would be.

Mr. Commissioner: With respect, Mr. Chairman, I would be very hopeful that there would be an opportunity to examine this very carefully because you then get back into the situation where workmen are transported here, they have an employment contract, and they are transported here and while they are here they are covered under the workmen's compensation here, but possibly the terms of their employment contract calls for them to receive other benefits, you know, which are not explicitly fitted in a workmen's compensation ...

Mr. McKinnon: I thought we were talking about Yukon residents working in the Yukon.

Mr. Commissioner: But anyone covered under this Ordinance, and this is the point I'm getting at, Mr. Chairman, and this is why this has to be examined very, very carefully because you might find yourself getting into a very bad matter of having to differentiate in the Ordinance here as to people who, although employed in the Yukon, are covered by the Ordinance, but there's the other people who gave residence elsewhere but were covered under the Ordinance. It could become a very complicated thing.

Mr. Chamberlist: Why could this not be that where the death occurred away from the workmen's usual place of residence in the Yukon ... this would cover Mr. Commissioner's point.

Mr. Commissioner: It doesn't go, Mr. Chairman, with respect, because you've already said in the Ordinance that this Ordinance covers this man no matter where he is working.

Mr. Chamberlist: Yes, that's right, but we're saying it in this section, Mr. Chairman, we would be saying it in this section that not withstanding anything else, where the death occurred away from the workman's usual place of residence in the Yukon, then such-and-such takes place.

Mrs. Watson: And his usual place of residence likely isn't the Yukon, and that's the point ...

Mr. Chamberlist: But, he would ...

Mr. Chairman: Order, please, one at a time.

Mr. Commissioner: Mr. Chairman, with respect, could I suggest that you offer to allow our working group to take another look at this because I do honestly believe that Councillor McKinnon has a very good point with regard to the cost of funerals in the Yukon, and I think that if it could be resolved, then I think you could take an orderly approach to the other monetary benefits.

Mr. Chairman: Agreed?

Mr. Tanner: There's quite an interesting point in semantics here. It used to be that we talked about the Legislative Programing Committee, we used to talk about the

Executive Committee, and now we're talking about the working group. Would somebody like to tell the rest of Council who the working group are?

Mr. Commissioner: Well, in this particular instance, it's the people who are here as your witnesses, plus the Legislative Programing Committee. They are the people who have been working on this Ordinance.

Mr. Chairman: Next is (d). (Reads section 30(1)(d) through (h))

Mr. Chamberlist: Mr. Chairman, I wonder if Mr. Legal Adviser could say what age could a dependent invalid child be? Any age?

Mr. Legal Adviser: Child is a natural thing. It means any age. You're the child of your own father, and you're a great age.

Mr. Chairman: (Reads section 30(1)(f) through (j))

Mr. McKinnon: Mr. Chairman, there was an agreement from Committee that they would look at those amounts, \$15.00 per month. The point that was made is that these are dependent widows or widowers or children who are in necessitous circumstances and they go to the authority and say that they are in need of extra benefits, and after agreeing that such is the case, the maximum amount of money that could be given to them is \$15.00 a month. The point that I was making is that it was more of an insult than a help after going through all the bureaucracy to get the extra help, that all you're entitled to is \$15.00 a month. In this day and age, this isn't worth the trouble to go and seek the additional benefits from the authorities. It was taken under advisement by Committee, and I was assured that they were going to look at these amounts to see whether it could go upwards.

Mrs. Watson: Mr. Chairman, I believe in section (f), it refers to circumstances because of illness, and I think it was the thinking of the Committee that because of benefits of health programs such as Medicare, where your health care is paid for under this type of program, that it would not be necessary to have any more of an increase than \$15.00, and if you'll notice, it states because of illness. When this was taken from the old legislation, it was before there were these programs available.

Mr. Chairman: It says dependent invalid child.

Mr. Fingland: I think, too, it has to be recognized, Mr. Chairman, this is over and above all benefits. We did take a look at this actually, and we found that there was no similar position outside.

Mr. McKinnon: That's exactly my point, Mr. Chairman, that it is over and above all the benefits, and \$15.00 a month isn't going to benefit one way or the other. It really isn't, because, you know, you go through the problem of knowing that you are in necessitous circumstances, you impress upon the authorities to make the decision that you are, and after all this, you get the grand total of \$15.00 a month. It just seems to me, with all the other benefits and all the other things that are there, that the \$15.00 is unnecessary, or if it is necessary that there be extra benefits, then we should put this up to a realistic amount; one or the other. You should either eliminate it or push the benefit up to a realistic amount.

Mr. Chamberlist: I wonder if the Honourable Member would move that we eliminate it?

Mr. McKinnon: I don't have any problems as the Honourable Member knows that I can't initiate any resolution dealing with money, however, if one of them wanted to initiate a money resolution, I would then make the decision as to whether I would support the legislation.

Mr. Chamberlist: The Honourable Member knows full well that while we're dealing with this Bill, he can move to obliterate completely one or two or ten sections if he wanted to move in that particular way.

Mr. Chairman: I wonder if the Chair could have some direction in relation this sub (j)?

Mr. McKinnon: I made the point in Dawson City, Mr. Chairman, and it seemed to be agreed upon that \$15.00 a month as a maximum just wasn't a realistic level if that person was in the hardship that they would have to be to get benefits under the terms of this section. I was told there that it was going to be reviewed, it was going to be looked at. I thought that probably there would be an escalation in the benefits available. Evidently, there is not, and that's just the point that I wanted to make.

Mrs. Watson: Mr. Chairman, if the Honourable Member would read this section, both of those sections make reference to the cause of illness or who is ill, and the \$15.00 a month extra is allowed because of extra medical expenses that might be required for the dependent, and because you have medical services such as Medicare, we felt that it wasn't necessary to increase that amount by more than \$15.00.

Mr. Chamberlist: Just take a look at it, a very serious one.

Mr. Chairman: Is there anything further on (j)?

Mr. Tanner: Yes, Mr. Chairman. In 30(1)(h) ...

Mr. Chamberlist: We haven't come to 31 yet.

Mr. Tanner: Section 30(1)(h), we are talking about a workman who leaves no surviving spouse or the surviving spouse of the workman dies or is confined to a prison, gaol, lockup or other institution, but back in 26(1), (4) and (5), we specifically broke up the people who are in gaol and the people who are in institutions. It is a minor point, but one that I find interesting; why can we use, in the 30(1)(h), both together, and why in that case do we need (4) and (5) in 26(1)? Aren't they basically the same thing? In other words, if we are making circumstances for people who are in gaol the same as if they were in an institution; if they're not, why are we treating them together in the latter paragraph?

Mr. Fingland: There is a slightly different set of circumstances, Mr. Chairman. The earlier sections dealt with the authority of the Commissioner to direct that the compensation payable to a person confined in a gaol or institution can be diverted to dependents. This is to provide for an additional payment where there has been a dependent child or dependent invalid child deprived of one or other of their parents who are sent to an institution. This provides for an additional payment.

Mr. Tanner: I'm not worried about the payments, Mr. Chairman. It's a matter of writing the legislation basically. I don't see why we have the distinction of paragraph (4) and (5) of 26(1) when we don't make any distinctions in paragraph 30(1)(h).

Mr. Fingland: Well, (h), (i) and (j) are supplemental provisions, whereas the earlier ones just deal with what to do with compensation payable to a person who is confined in a prison or institution. This provides for additional payments.

Mr. Chairman: Is there anything further on 30? (Reads section 30(2)) I think at this point in time I'll declare a short recess so that we might change tapes.

RECESS

Mr. Chairman: At this time we will call Committee back to order and proceed with section 31(1). (Reads section 31(1))

Mr. Tanner: Mr. Chairman, if I understand this right, they've got to cohabit for three years to receive, but as soon as she starts cohabiting again, she loses it? It seems a little iniquitable, isn't it? Do I read that correctly, Mr. Chairman?

Mr. Legal Adviser: That is correct, Mr. Chairman.

Mr. Tanner: Well, why make the distinction?

Mr. Legal Adviser: Because she then depends on support on a second husband from whom she should receive full support and not be dependent on a previous pension.

Mr. Tanner: Then, Mr. Chairman, why make the stipulation three years previously then?

Mr. Legal Adviser: The three year period, or the two year period, or the nil period, depends on the fact that she was dependent on the man who was killed for her support, and therefore is within the terms of the definition, a "dependent". If she is not a dependant, even though she is living with him, she gets no pension. This is an Ordinance which provides for dependant pensions not just casual people with whom you happen to have an association, pleasant or otherwise.

Mr. Chamberlist: Nicely put, nicely put.

Mr. Chairman: (Reads section 32 (1))

Mr. Tanner: Mr. Chairman, I want to go back to section 31(1). In the old Ordinance, it is six years, and now we have cut it down to three years. May I question the Legal Adviser? Why are we specifying any number of years at all? Because if we admit the fact that we have cut it down half from six to three, why specify any number of years for cohabiting with somebody, particularly given the circumstances which exist in Yukon today where it is common practice, especially when you think that they have got nowhere to go back to probably to define what kind of status is cohabiting. You've got a legal case on your hands to say we think it's in May of such and such a year. I would say one year at the very most.

Mr. Finland: Mr. Chairman, I think I can answer that. As far as the situation involving dependant children is concerned, we felt that it had to be immediate because there were children involved. However, in the case of an adult where there were no dependant children involved, we felt that we should follow the length of time that is required by the Divorce Act as the time which people must live apart before being eligible for divorce as being an appropriate length of time to use in this Ordinance. That was the basis on which we decided on three years.

Mr. Hough: I may say also Mr. Chairman, not probably that it has any bearing on this Ordinance, but last year your Income Tax Act did not recognize a common law arrangement for exemption.

Mr. Stutter: One point, Mr. Chairman, if we could go back to 31(1)(b), the subsection where the common law arrangement, where the woman or the man, whichever the case may be, starts to cohabit again with somebody else, they lose all payments, but under the section that we have just read, a wife would receive a lump sum of \$2600. Now, why are you recognizing that the wife has unequal rights than the common law arrangement, because the common law rights are recognized in other parts of the Ordinance but not in this one.

Mr. Finland: I'm sorry, Mr. Chairman, the reference to the \$2600 is where? 34(1). Thank you.

Mr. Stutter: She is receiving payments, but the minute that the wife remarries, she gets a lump sum of \$2625, on remarriage, but in the common law arrangement, the woman loses all rights the minute that she remarries or the minute that she takes up another arrangement. Do I read it wrongly? Is she still entitled to the \$2600 in the common law arrangement?

Mr. Legal Adviser: I think Mr. Chairman, it is an encouragement to remarry, because this terminates the liability of the Fund. But it would be harsh to encourage cohabitation.

Mr. Hough: In answer to Mr. Stutter's question, I think that the second paragraph of (b) the compensation to a dependant wife of a workman would have been entitled under this Ordinance, may at the discretion of the referee be paid to the woman who was a dependant. Now the compensation includes the lump sum payment, if she remarries.

Mr. Chamberlist: The point that Councillor Stutter is making that is until she remarries then she cuts it off. If it's a remarriage, she does not get cut off, she get a lump sum. I think that is the point that Councillor Stutter is making.

Mr. Hough: Mr. Chairman, I don't think I quite agree here as yet. Maybe our Legal Adviser... If the workman has cohabited for three years immediately preceeding his death, then she is entitled to the same benefits as if he were legally married, and if she remarries, afterwards she will get her lump sum payment. She gets her pension up the month that she remarries.

Mr. Stutter: But it doesn't say that, Mr. Chairman. It says that she gets that payment but there is nothing whatsoever in there about the lump sum.

Mr. Hough: Well, yes, but compensation includes it. If you will go on. Under (b) if he has cohabited immediately preceeding his death with a woman, there is no time limit here, who is dependent on him for her maintenance and support, and by whom he has had one or more children, she is covered as well. The compensation to which a dependent wife of the workman would have been entitled to under this Ordinance may, in the discretion of the referee be paid to the woman who is dependent on him for maintenance and therefore includes the lump sum payment. It's compensation.

Mr. Legal Adviser: Mr. Chairman, not quite. The person who cohabits with somebody for the second time having cohabited for the first time does in fact lose the payments. The widow or the person who cohabits who is treated as a widow will get the lump sum payment if the second man with whom she cohabits she in fact marries at some point in time. So they have both got the right on remarriage or at least on marriage, but the first woman loses if she cohabits. But it is a very awkward situation to handle, especially in an open forum because there are lots of influences as to how you draft the legislation.

Mr. Chairman: Are there any further questions from the Floor.

Mr. Chamberlist: Mr. Chairman, in this 31(b), whereby immediately preceeding his death a woman who was dependent on him for her maintenance and support and by whom he has one or more children. Let it be "and by whom she has one or more children". Surely she has the children.

Mr. Chairman: Anything further up to 34?

Mr. Stutter: Mr. Chairman, I am still not prepared to leave this point completely. Now I find another small point and that is that in 31(1)(b), it is even left up to the discretion of the referee as to whether the woman is to receive that payment, regardless as to what Mr. Hough says in that she is in actual fact treated as a wife and compensation that a wife would normally receive. It states in that section that it is up to the discretion of the referee. In 34(1) it is not up to the discretion of the referee, it says that she shall be paid.

Mr. Chamberlist: That is the point that I thought Councillor Stutter was making before, and it appears that the discretion

given to the referee is that he may or may not give it to her. He is dealing as a referee then, not so much on the injuries that the person has received and is entitled to compensation, but as to whether he likes her or not.

Mr. Fingland: I think the question here Mr. Chairman, is where the discretion is left to the referee, in the case of marriage, it is a clearly established legal condition which has been legalized by statutory procedures, the case of cohabitation is not that easily identified and that is why there needs to be some kind of discretionary role here, because cohabitation can be a very casual situation, especially between two adults.

Mr. Chamberlist: You're kidding.

Mr. Fingland: I think this is something that should provide for some element of discretion where the referee can look at the situation.

Mr. McKinnon: Mr. Chairman, with due respect, it is still discriminatory legislation, there is no doubt about it. There are all kinds of reasons, either that people haven't taken out a certificate of marriage, they may be religious, or moral, or philosophical, but legal, and that no reason for the law to be discriminating against those people, that they aren't every bit as married as people who have been capable of going and getting a certificate put on the wall. The Prime Minister says that the laws have no place in the bedrooms of this country, and I agree with him wholeheartedly and I say to you that this is discriminatory legislation against those people who are living common law and I don't agree with this type of legislation. I don't think that the Council, if they are looking at being in the fore front as a leader in legislation in this country, that they can be condoning such legislation.

Mr. Hough: Mr. Chairman, you probably will remember that this particular matter was one of the two occasions where the whole Alberta Board came up here without a referee to prove whether or not there was cohabitation when it is an awful hard thing to prove, and the Administration here doesn't want to be in a position of deciding whether two people have cohabitated long enough to get compensation. We want a referee to make that decision for us. This is why we got the whole Board up here on one particular instance.

Mr. Chamberlist: On this occasion, come to the defense of Councillor McKinnon, if I can say defence because when it says the referee has the opportunity to decide these things, it doesn't say here on what grounds he must decide. It simply says that the Referee can use his discretion as to whether or not he makes available that money, and it doesn't say for what reason so it extends the Referee's reasoning beyond any area that we are talking about now. He may discriminate in some other area. You know, it might be unlikely that this would happen but there must be something done and I would suggest that if we are going to look back at other areas we should let the working group take another look at it.

Mr. Chairman: Those agree then that the matter be differed for further consideration?

Mr. McKinnon: 33 (1)(a) and (b), I am wondering about the rationale behind the arithmetic. One hundred and fifty dollars a month for one set of parents and a total of two hundred dollars for two sets of parents. It would seem to me that if it was a hundred and fifty per month for one it would add up to three hundred dollars per month for two.

Mr. Chamberlist: Two can live as cheap as one you know.

Mr. McKinnon: Two hundred and fifty would seem more in line than two. Is it reasonable?

Mr. Chamberlist: What is this based on Mr. Hough?

Mr. Hough: I think, Mr. Chairman, this was one you people put in based on - was this in your old Ordinance? They were much less in the old Ordinance.

Mr. Fingland: Yes, Mr. Chairman, all these amounts were based on what appeared to be reasonable in relation to the neighboring jurisdictions, namely B.C. and Alberta, and of course subject to cost of living fluctuations as a result of later sections that we will come to. But you know, they can be changed around or do anything you want. They rise automatically as the cost of living increases.

Mr. Chairman: These payments in 31 then would rise and fall with the cost of living index?

Mr. Fingland: Yes, that's right. But I think the point here is not, the main point is the comparison between the two levels. One person is one hundred and fifty and the other two hundred. I think that arises because the old Ordinance had similar difference but a lesser amount.

Mr. Hough: Mr. Chairman, the Alberta basis is fifty dollars for a parent and eighty-five dollars for parents.

Mr. Chamberlist: If we followed that same ratio, it would have to be higher on the two.

Mr. Hough: One thing you must bear in mind, Mr. Chairman, and that is that the additional cost to industry. Every time you increase another benefit, up goes your cost to industry.

Mr. Fingland: Since we are going to look at benefits in relation to others, perhaps we could have a look at these too.

Mr. Chairman: Agreed?

Mr. McKinnon: Section 34(1). Mr. Chairman, what happens to the children in this instance? Do they lose their payment also?

Mr. Hough: Mr. Chairman, the payments carry on to the children in accordance with the previous sections.

Mr. Chairman: (Reads sections 35, 36 & 37). This would cover, of course, the legal guardian by such other person?

Mr. Hough: That is correct sir. A child that is under age, an infant that might be left.

Mr. Chairman: I say that there is no direct reference to legal guardian here. Is that covered by "other person" or how?

Mr. Tanner: Mr. Chairman, these things should be specified. Anything you don't need is the expression all other persons, just say at the discretion of the referee. Or if you do need it, it should be specified surely.

Mr. Commissioner: This could cover such a broad spectrum of people which you would need a whole page of definitions. Like do you have foster parents, child being in custody of child welfare, foster home. You know, I am sure Mr. Legal Adviser would agree with me the list would be endless.

Mr. Chairman: (Reads section 38 through to 42).

Mr. Tanner: Mr. Chairman, would that, for example, cover a volunteer fireman in one of the outlying areas? Would section 42 are we talking about a person who is concerned with rescue work, would that apply like the volunteer fireman?

Mr. Legal Adviser: Yes, if he's covered you apply the rules of earning.

Mr. Tanner: In this particular case, would he get a hundred percent instead of the normal seventy-five percent as an ordinary workman?

Mr. Chairman: I think there might be a point here though that you would base this on average weekly earnings and this type of thing and firemen have no average, not necessarily have an average weekly earning.

Mr. Hough: Gentlemen, this section deals with rescue or where there has been an explosion, fire, or other catastrophe and it is for the purpose of saving human life by anyone.

Mr. Chairman: By any citizen.

Mr. Hough: Yes, by anyone. A fireman, if it's a fireman on a volunteer fire brigade and he goes to fight a fire, there may be no human life involved. If he was injured then, he would be paid in the same way as any other workman on seventy-five percent of his earnings.

Mr. Chairman: What if he is not a fireman but a citizen of the community who is assisting in the suppression of a fire?

Page 25
July 24, 1973
8:45 p.m.

Mr. Legal Adviser: A workman is defined as being a --. A person off the street who is attached to a system the law, the fire marshal, or anybody else, doesn't as such become entitled to compensation. He has got to be a workman.

Mr. Tanner: Mr. Chairman, the point was that I was talking about a volunteer fireman.

Mr. Legal Adviser: A volunteer fireman has certainly been covered in the Ordinance in a certain way.

Mr. Tanner: My point is, is the estimate of a volunteer fireman's compensation on a 100% basis or a 75% basis. I felt Mr. Hough actually answered it but now the Legal Adviser has confused it.

Mr. Hough: Mr. Chairman, if the volunteer fireman was engaged as the section states here, for the purpose of saving human life after an explosion, fire, or other catastrophe, he would be paid on the basis of 100%. Now if it is a fire that a volunteer fireman is required to go to to extinguish, he would be paid on the basis of 75% of his earnings or the average earnings of the firemen in the Territory.

Mr. Chamberlist: Supposing he is a volunteer fireman and he does 6 hours in that particular week, now is he going to get compensation based on that six hours or what he normal earnings are for his regular job.

Mr. Hough: It is on his normal earnings for the year that he has been employed in industries under the Ordinance. That is what it would be based on.

Mr. Stutter: If he is a plumber then, and he is on the volunteer fire department, and he is making \$6.00 an hour as a plumber, he'll get as compensation \$4.50 an hour, whereas if he labors at \$3.00 an hour, he will only get at that time a little more than \$2.00 or \$2.50, is that correct.

Mr. Hough: Mr. Chairman, the compensation is based on the earnings of a workman in industries under the Ordinance for the previous twelve months. You could have a case of a labourer at the first of the year making \$3.00 an hour, later on in the year he qualifies to get his plumbers papers and he starts to draw \$6.00 an hour, he gets tired of that and he goes into a service station later on in the year where he is back to \$2.00 an hour and if he continues in that service station he gets paid on the basis of his earnings for the previous twelve months.

Mr. Stutter: Mr. Chairman, that is not the point. My point is that as a volunteer firefighter, you made two statements Mr. Hough, a while ago you made the statement that it would be paid as a regular fireman would be paid, 75% of a regular fireman's wage, and now you are saying that he would be paid 75% of the rate at which he was formerly employed at, whether it be a plumber, a contractor, a labourer, or what. Which one is it?

Mr. Hough: I will correct that by saying that it is on his earnings. When I referred to the other, we have had many cases in Alberta where a volunteer fireman was not engaged in an industry under the Act, but if he was injured as a volunteer fireman, he was then compensated on the basis of the average earnings of a fireman. Now, under this Ordinance, there is not going to be any exemptions, so he would be compensated on the basis of his earnings for the year.

Mr. Chamberlist: Supposing that volunteer fireman happened to be a person who is an employer that employs 10 people, but because he is a community minded guy in Watson Lake or someplace where they need volunteer men, he leaves his place where he operates his business and as a volunteer fireman, for which he gets some \$3.50 an hour, he helps for three hours to put out a fire. Now during that time

that he is putting out that fire, he gets injured. Now the question is, does he get paid on the basis of him being a volunteer fireman? He wasn't doing rescue work involving human life.

Mr. Hough: It wouldn't apply.

Mr. Chamberlist: Well, honestly right now I am getting a little concerned myself, I'm getting concerned for members of the Committee now who are not being answered questions. I want to get it clear in my mind and I'm getting confused now. What I want to get now is a clear answer as to if a person is employed fighting a fire, it doesn't matter whether there is danger of loss of life or not, but a volunteer fireman, where he gets paid as a volunteer fireman, he is employed and helping to put out a fire and he gets injured, and he is not covered in any other industry because he happens to be an employer in another industry, is there a condition for this man to be compensated, not as an employer but as a fireman carrying out the work of putting out a fire? The answer must be "yes" or "no". We're beating around the bush.

Mr. Hough: Well then, Mr. Chairman, in the case that has been cited, I would say that he would be covered and that he would be paid at the average earnings of firemen, because he is not covered any other way.

Mr. Chairman: (Reads section 43(1))
I would like to draw your attention to the time. I was wondering if at this time the witnesses could be excused. I would like to thank you gentlemen and ladies for being with us and I was wondering if you would be available to join Committee tomorrow afternoon following Orders of the Day.

Mr. Chamberlist: Mr. Chairman, I would move that Mr. Speaker now resume the Chair.

Mr. Stutter: I second that motion.

Mr. Chairman: It has been moved by Councillor Chamberlist, seconded by Councillor Stutter that Mr. Speaker now resume the Chair. Are you prepared for the question? Are you agreed? I declare the motion carried.

NOTION CARRIED

Mr. Speaker: I will now call the House to order. May we have a report from the Chairman of Committee?

Mr. Taylor: Mr. Speaker, Committee convened at 2:50 p.m. this afternoon to discuss Public Bills and Sessional Papers. Mr. Fingland, Miss Waslynychuk, Mr. H.J. Taylor and Mr. Hough attended Committee to discuss Bill No. 35. Committee recessed at 5:00 p.m. and reconvened at 7:00 p.m. this evening. I can report progress on Bill No. 35. It was moved by Councillor Chamberlist and seconded by Councillor Stutter that Mr. Speaker now resume the Chair and this motion was carried.

Mr. Speaker: May I have your further pleasure?

Mr. Taylor: I believe Mr. Speaker, that it is usual to adopt or not to adopt the report of Committee.

Mr. Speaker: Are we agreed on the report of the Chairman of Committee? May I have your further pleasure?

Mr. Taylor: Mr. Speaker, in respect to the agenda for tomorrow, I believe it is the intention of your Committee to further consider Public Bills.

Mr. Speaker: May I have your further pleasure.

Mr. Tanner: I move that we call it 9:00 o'clock.

Mr. Chamberlist: I second the motion.

Mr. Speaker: It has been moved by the Honourable Member for Whitehorse North, seconded by the Honourable Member for Whitehorse East that we call it 9:00 o'clock. Are you prepared for the question? Are you agreed? I declare the motion carried.

NOTION CARRIED

Mr. Speaker: This House now stands adjourned until 2:00 a.m. tomorrow afternoon.

ADJOURNED

Mr. Speaker reads the daily prayer.

Mr. Speaker: Madam Clerk is there a quorum present?

Madam Clerk: There is, Mr. Speaker.

Mr. Speaker: The House will now come to order. Are there any Documents or Correspondence to be tabled? Are there any Reports of Committees? Are there any Bills to be introduced? Are there any Notices of Motions or Resolutions?

Mr. Tanner: Yes, Mr. Speaker, I have Notice of Motion concerning the Executive Committee.

Mr. Speaker: Are there any further Notices of Motion? Are there any Notices of Motion for the Production of Papers? We come to Motion No. 1.

MOTION #1

Mr. Speaker: It was moved by Councillor Chamberlist, seconded by Councillor Watson, that in the opinion of this House the Commissioner, having been notified that by reason of the resignation of five of the aldermen of the City of Whitehorse, the City lacked a quorum to carry on its business, had no alternative to the appointing of an administrator. Are you prepared to proceed with this motion at this time?

Mr. Chamberlist: Mr. Speaker, I am prepared to proceed with the motion, but I would allow, if Honourable Members would like that this motion be moved into Committee of the Whole for discussion, I am quite prepared to do so.

Mr. Tanner: I'll second that.

Mr. Speaker: It has been moved by the Honourable Member for Whitehorse East, seconded by the Honourable Member for Whitehorse North, that Motion No. 1 be moved into Committee of the Whole for further discussion. Are you prepared for the question?

Mr. Stutter: Mr. Speaker, surely on a point of order, the mover cannot move his own motion into Committee of the Whole.

Mr. Chamberlist: Actually, it is just a procedural motion. It can be done, but if the Honourable Member wants to do it his way, that is fine.

Mr. Tanner: Mr. Speaker, I'll move it into Committee of the Whole.

Mr. Stutter: I'll second it, Mr. Speaker.

Mr. Speaker: I have taken up the matter with the Legal Adviser and he says that it was in order. I will proceed with your motion. It has been moved by the Honourable Member for Whitehorse North, seconded by the Honourable Member for Dawson, that Motion No. 1 be moved into Committee of the Whole. Are you prepared for the question? Agreed? I declare the motion carried.

MOTION CARRIED

MOTION #2

Mr. Speaker: Motion No. 2. It was moved by Councillor Chamberlist, seconded by Councillor Watson, that this House has confidence in the Executive Committee concept. Are you prepared to proceed with this motion at this time?

Mr. Chamberlist: Mr. Speaker, I am not prepared to proceed with it, today, and I ask that it be left on the Order Paper.

Mr. McKinnon: May I be permitted a request of the

Honourable Member, Mr. Speaker. Would he be prepared to move, or to have this motion moved into Committee of the Whole, also?

Mr. Chamberlist: I have stated, Mr. Speaker, that I am not prepared to proceed on the motion at this time and have requested that it remain on the Order Paper.

Mr. Speaker: It will remain on the Order Paper. Motion No. 3.

MOTION #3

Mr. Speaker: It has been moved by Councillor Watson, seconded by Councillor Chamberlist, that in the opinion of this House it is in the best interests of the Territory that this Twenty-Second Wholly Elective Council shall continue in office until it has completed its full term. Are you prepared to proceed with this motion at this time?

Mrs. Watson: Mr. Speaker, I would ask that I would not want to proceed with this motion at this time and I would ask that it be left on the Order Paper.

MOTION #4

Mr. Speaker: Motion No. 4. It was moved by Councillor Stutter, seconded by Councillor Tanner, that the Municipal Ordinance be referred to Committee of the Whole House at this Session of Council in order to review certain sections so that possible amendments or additions might be considered. Are you prepared to proceed with this motion at this time?

Mr. Stutter: Yes, Mr. Speaker, the wording of the motion actually asks that the Municipal Ordinance be referred to Committee of the Whole, and I really don't think it is necessary to at this point that I should say much on it, other than that it is my feeling that much of the trouble or much of the breakdown in communications, if you would put it that way, between the City and the senior government in the Territory, and it was brought about by certain sections or aggravated by certain sections in the Municipal Ordinance. I think, it is in the interest of Council and it is the interest of other people concerned that we take another look at certain sections of this Ordinance and propose amendments if possible. This is the reason I request that it go into Committee of the Whole.

Mr. Chamberlist: Mr. Speaker, I have no objection, whatsoever and I am pleased to support the Honourable Member's motion, that he have this question discussed in Committee of the Whole.

Mr. Speaker: Are you prepared for the question?

Mr. Tanner: Mr. Speaker, on a point of order, I don't think it has been moved into Committee yet.

Mr. Chamberlist: No, I asked that it would be put into Committee of the Whole for discussion.

Mr. Taylor: Mr. Speaker, with all due respect, the motion asks that the matter be referred to Committee of the Whole. Acceptance of the motion would put the matter to Committee of the Whole.

Mr. Speaker: Will somebody so move.

Mr. McKinnon: It has already been moved. Question.

Mr. Speaker: Are you agreed? I declare the motion carried.

MOTION CARRIED

MOTION #5

Mr. Speaker: Motion No. 5. It has been moved by Councillor Stutter, seconded by Councillor Tanner, that constitutional reforms be discussed at this Session of Council with the view to draughting a positive notion

to the Minister of Indian Affairs & Northern Development requesting that specific changes requested within the motion be implemented within the Yukon Act prior to the next Territorial election. Are you prepared to proceed with the motion at this time?

Mr. Stutter: Yes, Mr. Speaker. I would first like to point out, that the word on the second line is not motion but motion. The reason that I have proposed this motion is because I have strong feelings that unless there are some constitutional changes brought about and there are changes made in the Yukon Act prior to the next election, that the next Territorial Council are going to run into the same type of problem that we have run into here in the last year or two. I feel that unless these changes are brought about, and brought about as I say, before the election, we are really in serious trouble. I think, that we have got to get together, we have got to either support or reiterate the requests in the former Motion No. 40, that was put forward in 1966, or we must come up with some very positive desire or a very positive request to be incorporated within the Yukon Act.

Mr. Chamberlist: Mr. Speaker, I support the tenure of the motion, itself. I am only a little bit disturbed that the Federal Government might not be in a position to act promptly enough, if anything happens before Friday.

Mr. Taylor: Just a word or two on the subject, Mr. Speaker. I had hoped that the matter would not arise after the affairs that took place in Dawson City, only for the reason that I felt, at least, with some Members of the House, there was not sufficient knowledge of the situation or indeed concerned with the situation of constitutional reform come to a general consensus and I noted as has the honourable mover of the motion that the Federal Government, the committee on Indian Affairs and Northern Development, in Ottawa have taken the matter into their hands and have referred to Parliament Motion No. 40 of this House in 1966. I had hoped that the matter could be left at this, but if we can out of all our discussions come up with a support of this motion made by the Committee, then I would certainly think that we have achieved something. If we get haggling and higgling around this Table in Committee on everybody's little personal axe to grind type of amendments to bring constitutional reform to the Yukon - and God only knows we need it - then we would have done more damage than good. I would support the motion.

Mr. Speaker: Any further debate on this motion? Are you prepared for the question? I declare the motion carried.

MOTION CARRIED

Mr. Speaker: We now come to the Question Period.

Mr. Taylor: Mr. Speaker, do we not have a vote on the motion.

Mr. McKinnon: That's why we need constitutional reform.

Mr. Speaker: Are you prepared for the question, then? Are you agreed? I declare the motion carried.

MOTION CARRIED

Mr. Speaker: Are there any questions?

QUESTION RE MUNICIPAL ORDINANCE

Mr. Stutter: Mr. Speaker, I have a question for Mr. Legal Adviser. If I could just ask Mr. Legal Adviser to avail himself of the Municipal Ordinance. On page 89, the Municipal Ordinance, under section 155(1), the very last two words states, this is in dealing with an appointment of an administrator, that last two lines state, "the Commissioner may by order appoint a person as administrator of a municipality." My question to the Legal Adviser is, is this particular section of the Ordinance permissive, a permissive section?

Mr. Legal Adviser: Yes, it is permissive. But under certain circumstances. If the government wishes to carry out, the Government of the City, they would be coerced to do something, because it is their duty to carry out the law.

Mr. Stutter: A supplementary, Mr. Speaker. I wonder, I am asking the Legal Adviser his opinion as the Legal Adviser of the Territory and surely in this particular instance, you can answer either with a yes or with a no. I realize that some of the instances may be in a grey area, but the overall aim of that particular section of the Ordinance, is it permissive or is it mandatory?

Mr. Legal Adviser: From a point of law, I would think it is permissive. But from practical consideration, we'll take the instance that has occurred here. If a breakdown occurs in the Government of the City, with an election six months away, common sense dictates that something must be done. If a breakdown occurs in the administration of the City, two days before another election, then I think the Commissioner would not be coerced for three days, in a practice of common sense would not be coerced at that moment to appoint an administrator if some other course can be found by an election within a reasonable time.

Mr. Stutter: Mr. Speaker, I would like to pursue it a little further, but I'm afraid it would become a debate and I know that the motion has been put into Committee of the Whole and hopefully the Legal Adviser will be able to answer further questions at that time.

QUESTION RE LAND FREEZE

Mr. Taylor: Mr. Speaker, I have a question that I would direct to Mr. Commissioner, this afternoon. On the 13th of June last in Dawson City I raised a question respecting land availability and land freeze questions in the area of Watson Lake, Ross River and so forth. I was informed at that time, by Mr. Commissioner, that land would indeed be made available in a very short period of time in the communities of Ross River, Carmacks, Watson Lake and Haines Junction. I am wondering if this has been done and to what extent.

Mr. Commissioner: Mr. Speaker, to the best of my knowledge the answer is in the affirmative, but I think the best thing I better do is bring the newspaper advertisement or the public advertisement for Council's information and this will explain in detail. From the question of extent, I cannot answer it, but that would answer the Honourable Member's question.

QUESTION RE CITY ALDERMEN

Mr. McKinnon: Mr. Speaker, I wonder if I may ask a question of the Legal Adviser. I understand, that Mr. Legal Adviser of the Government through Mr. Bilawich has asked the Territorial Court to grant quo Warranto orders against five named aldermen, namely Aldermen Boyd, Hunter, Lucier, Henke and Howatt. I would ask, Mr. Legal Adviser have the quo Warranto orders been filed in the Territorial Court to this date?

Mr. Legal Adviser: There is no order to file, Mr. Speaker. What has happened is that an Order Nisi has been granted giving liberties to file information. The information then has to be tried. Up to today, the informations have not been filed. In the court action, the five actions were combined into one action and four actions were stayed. So there would be, if the action were to be continued, there would be a single information filed in respect of one individual and the other four individuals concerned gave undertakings that they would abide by the result. So the actions were stayed. So the technical position is that there is one action before the court and four have been stayed by orders of the court.

Mr. McKinnon: I wonder, Mr. Speaker, if I could ask Mr. Commissioner, would the single information against Ex-Alderman Paul Lucier be filed in the Territorial Court of the Government of the Yukon Territory.

Mr. Commissioner: Mr. Speaker, I believe the question has already been answered.

Mr. McKinnon: With respect, Mr. Speaker, Mr. Legal Adviser said that four actions have been stayed and one can still be filed as information. I would like to know whether this information is going to be filed in the Territorial Court against Alderman Paul Lucier?

Mr. Legal Adviser: Mr. Speaker, I would say, I haven't received any written instruction in the last 24 hours, but I would take the sense of what the Commissioner said yesterday, to be that some form of instruction would be given to me to stay the action which is currently before the court in respect of Alderman Clive Boyd. I would expect that the technical result of that would be that the other four actions would not need to be stayed because they have been stayed and they would remain completely stayed unless something else happens.

Mr. McKinnon: Mr. Speaker, I ask Mr. Commissioner if he is going to give Mr. Legal Adviser the advice to state the action against Alderman Clive Boyd.

Mr. Commissioner: Mr. Speaker, this was clearly intimated in the press release that we gave yesterday, and it will be a request made to the court. Instructions will be given to the Legal Adviser according to that press release.

QUESTION RE MINISTER OF INDIAN AFFAIRS AND NORTHERN DEVELOPMENT.

Mr. McKinnon: Mr. Speaker, I have a question for Mr. Commissioner and this is one of the most important questions I have ever asked the Commissioner. I am sure Mr. Commissioner is aware of section 4 of the Yukon Act, and I would like to ask Mr. Commissioner if he has received instructions from the Minister of Indian Affairs and Northern Development to follow the advice of the elected Members on the Executive Committee even though it may be personally against the advice of the Commissioner of the Yukon Territory.

Mr. Commissioner: Mr. Speaker, any matters of this nature between my Minister and myself are certainly private matters and are certainly nothing that I would answer. It is up to the Minister to answer any such questions, insofar as the generality is concerned, no type of instruction of this nature has ever been given to me. But the specific question should and rightfully is a question that should go to my Minister.

Mr. McKinnon: What I am trying to do, Mr. Speaker, is I am trying to let Mr. Commissioner off the hook just a little bit and ask him whether he has always been in agreement with the elected Members of the Executive Committee or in believing in the Executive Committee concept to such a degree that he went along with it at any rate.

Mr. Commissioner: Mr. Speaker, I am a firm believer in the Executive Committee concept. If ever we are going to spring loose from the complete day to day handling of the administration of the Yukon Territory by appointed people, we have to by some orderly method bring elected people into that system, and get that system operated by the introduction of elected people while there are still appointed people there. This is being done at the present time and I think the only regret that I might express is that there hasn't been some kind of a system, and I am sure that this just could never be brought about, whereby in some kind of a space or a span of time that each elected Member of the Territorial Council sat as part of that Executive Committee. Now I recognize that this can't happen and I'm not stupid and I am not inferring that this is the manner in which the Executive Committee concept will stand or fall, but you do not attempt, as a part of that concept, to do anything other than exercise the consensus that is brought around the Table and in the course of discussions in that kind of a group, as far as voting in the manner in which you do here, it just doesn't happen. And if the question is "have I always agreed with everything that the

consensus has arrived at around this Table." I can speak on behalf of all five people who sit around this and therefore from time to time five different opinions on every thing. So everyone, from time to time disagrees with what goes on as an individual around this Table, but sooner or later, when the consensus is arrived at, it has basically got to be supported by everyone around this Table. It is just that simple.

QUESTION RE ADMINISTRATION OF THE YUKON TERRITORY

Mr. Taylor: Mr. Speaker, I would like to direct a question to Mr. Commissioner and ask him, is it true that in fact under the Yukon Act, there is only one person empowered to administrate the Territory or in his absence, an Administrator may -- that person being the Commissioner of the Yukon Territory?

Mr. Commissioner: This is a fact, you can read it in the Yukon Act, Mr. Speaker. The question doesn't have to be posed to me. But where that individual seeks his advice from, that is another question altogether, and that is the role of the Executive Committee.

QUESTION RE RESPONSIBILITY OF MR. COMMISSIONER

Mr. Taylor: Mr. Speaker, one final question I would direct to Mr. Commissioner. Does it not follow that anything that does go wrong in the Territory in terms of administration that the blame can only fall upon that Chief Executive or his assistant in his absence?

Mr. Commissioner: This is absolutely correct, Mr. Speaker.

Mr. Taylor: Thank you, Mr. Speaker.

QUESTION RE PRIOR CONTACT OF WHITEHORSE ADMINISTRATOR OLIVER

Mr. McKinnon: Mr. Speaker, I was wondering if I could ask Mr. Commissioner whether Mr. Joe Oliver, who is now the Administrator of the City of Whitehorse, was appointed prior to the resignation of the five aldermen of the City Council or had been approached to act as Administrator prior to their resignation?

Mr. Commissioner: Mr. Speaker, there are two questions involved. You ask as to whether Mr. Oliver was appointed prior to the resignations and the appointment date was after the resignations of the five aldermen. Your next question is was Mr. Oliver approached prior to these resignations, and the answer was yes. There was a court action underway, and I advised the Department of Local Government that they had to be prepared for whatever eventuality transpired as a consequence of that court action, and one of those eventualities was the possible appointment of an Administrator and I am told that they contacted Mr. Oliver to see if he would be available. They have contacted others as well, I am sorry that I am not able to answer the question in the plural, the Legal Adviser tells me yes, but certainly, the answer is in the affirmative to that question.

Mr. Speaker: Are there any more questions?

QUESTION RE SPECIAL OCCASION PERMITS

Mr. Taylor: Yes, Mr. Speaker, just one question. I asked the question yesterday of Mr. Commissioner respecting the new policy on the Special Occasions Permit matter under the Liquor Ordinance and I was informed that it was signed several days ago, within the last few days. I was wondering when indeed that policy will be made available to Members.

Mr. Commissioner: Well, Mr. Speaker, there is a printing routine that goes on, I'm sorry that I can't name the exact time but I gave an honest answer Mr. Speaker. The policy was signed a few days ago and in the normal routine of printing and distribution, it will be available for everyone in the Regulation books, but when the Honourable Member asks me exactly what day, I can't say exactly what day.

Mr. Speaker: May I have your further pleasure? Will someone make a motion?

Mr. Chamberlist: Mr. Speaker, I would move that Mr. Speaker now leave the Chair and that Council resolve itself into the Committee of the Whole for the purpose of discussion of Bills, Sessional Papers, and Motions.

Mr. Stutter: I second that motion.

Mr. Speaker: It has been moved by the Honourable Member from Whitehorse East, seconded by the Honourable Member from Dawson that Mr. Speaker now leave the chair for the purpose of convening the Committee of the Whole to discuss Bills, Sessional Papers, and Motions. Are you prepared for the question? Are you agreed? I declare the motion carried.

NOTION CARRIED

Mr. Chairman: Do you wish to proceed with Bill No. 35 at this time? I wonder Madam Clerk if you could have the witnesses with us, and I will declare a brief recess.

RECESS

BILL # 35

Mr. Chairman: At this time, we'll call Committee back to order. Bill No. 35. Before we had concluded discussions on section 43, when last we rose, we had some sheets before us, and maybe Mr. Legal Adviser can tell us what these sheets are, whether they are amendments or retyping or what the matter is and we can deal with them before we proceed.

Mr. Legal Adviser: Sorry, Mr. Chairman, I don't know what these are. They were just placed on my desk.

Mr. Chairman: I have a page 5, the first one.

Mr. Legal Adviser: I gather they are re-typed to represent the changes.

Mr. Chairman: Can we have them one by one, Mr. Legal Adviser.

Mr. Chamberlist: There has been some error, with respect, Mr. Chairman. As we indicated that we would go through the Bill, and all the suggestions that have been made will be taken together as the Legislative Programming Committee will take a look at them, and bring them forward. I must admit Mr. Chairman, that none of these papers have been seen by any members of the Legislative Programming Committee, and really they shouldn't have been here, on the table, at all. They should have been submitted, with respect, Mr. Chairman, Clerk of Council is very new and we must understand that it was not intended for these papers to be before Council at this time, that they weren't from the Legislative Programming Committee. I wonder Mr. Chairman, if you will allow the Clerk to collect these papers, as they have been placed out for that reason.

Mr. Chairman. We will proceed then to section 44 (1).

Mr. Fingland: Mr. Chairman, there is a change in that subsection. The last word, where in the old Bill "that annual rate of remuneration" that has been changed to read "the result in the maximum wage rate."

Mr. Chairman: Mr. Chairman reads section 44 to 47(1).

Mr. Fingland: Mr. Chairman, there is a change or heading there. The old Bill read "amount in payment of compensation to a workman under 19." It has been changed to read just "amount in payment of compensation."

Mr. Chairman: Thank you. (Begins to read section 47 (2), 48 (1) and (2))

Mr. Fingland: Mr. Chairman, I'm sorry, there is a very slight change in 48 (1). The old Bill read (the word in the second line) "the workman will." We changed that to "a workman." The third line, the word "received" becomes "receive."

Mr. Chairman: Reads 48 (2).

Mr. Fingland: Mr. Chairman, there is a slight change in the third line of subsection (2). The word "welfare" has been changed to "social assistance."

Mr. Chairman: (Reads section 49) I find difficulty with (a), from the Chair. Do I read correctly when it says in order to be covered by Workmen's Compensation, as a result of silicosis, that one must have been exposed for two years, if one was exposed for one year, would he still be covered? I would like to see some administrative research into this, because it seems to me that you contract silicosis in a mill operation or an underground operation, over the span of a year or less. I think this is a pretty important point, and should be resolved.

Mr. Commissioner: Mr. Chairman, isn't this a standard silicosis section as it appears in other Workmen's Compensation Acts in Canada?

Mr. Fingland: I'm certainly not clear on this, notwithstanding whether it appears on someone else's legislation or not. I think that again we should look at this thing. If a workman can contract silicosis in the course of one year's employment in a mine or a mill or wherever the hazard is present, then certainly if it causes disability or death, the compensation should apply.

Mr. Chairman: We'll be getting down to section 50, but nobody seems to have the answer to that question. I wonder if the Administration would take it up before the final passage of this Bill.

Mr. Fingland: Mr. Chairman, we'll supply the Committee with further information on this point, but I think we must be very careful because this is handled by arrangements without a jurisdiction. We have to be very careful to ensure that we are not going to open ourselves to become a haven or workers who are in fact escaping from other jurisdictions where the limitations may be more stringent than our own. I think as long as we ensure that a workman who might suffer from this is in fact adequately covered. What I would like to do is to have a look and see what exactly is done in other jurisdictions.

Some Honourable Members: Agreed.

Mr. Chairman: Reads section 49 and 50.

Mr. Fingland: We'll supply additional information on what is done in other jurisdiction, Mr. Chairman.

Mr. Chairman: Reads section 50 (1) to (3).

Mr. Fingland: Mr. Chairman, I'm sorry, I missed.. There is a slight change in subsection (2), the word "Commissioner" in the old Bill has been changed to "Referee."

Mr. Chairman: Right.

Mr. Chairman: (Reads section 51(3) to 51(6).)

Mr. Stutter: Mr. Chairman, I wonder if I might ask Mr. Hough a question backing up a bit, right to the end of 50(1), the last statement: Whereby the compensation is to be shared equitably among the provinces where the exposure occurred. Do all of the provinces in Canada have provincial compensation or are some of them yet using private carriers? I mean this sounds good in theory but in practice, how does it work?

Mr. Hough: Mr. Chairman, all of your provinces in Canada have boards. There is no private carrier in any of them, and dealing with this question of silicosis, which we are going to look into further, the various authorities across Canada, that is your boards, have spent years going into this matter. They set up a Committee to make a study on it, and as a result of the study this agreement was entered into. Now the Committee consisted of representatives from various boards, and it has been a big question over many, many years, and I want you to realize that I am no authority on silicosis, but we will see what else we can find, but each of the provinces have their own boards.

Mr. Fingland: With the exception, Mr. Chairman, of the Northwest Territories, I think that should be clear that there is the one exception.

Mr. Stutter: So then in actual fact there would be no problem in getting payment from these other areas or provinces.

Mr. Hough: As a matter of fact, Mr. Chairman at the present moment, your Yukon Territory and the Northwest Territories have entered into this agreement, and it has been handled in this manner at the present time.

Mr. Chairman: (Reads Section 52(1).
I have a question again from the Chair in respect of this Fund. It bothers me, I would have hoped we could have had a board. What limits the administration to retaining that Fund in a solid state and not being able to borrow from that Fund for other purposes monies which might repose in the Fund.

Mr. Hough: You mean that if there is insufficient money in the Fund to meet operating expenses.

Mr. Chairman: No, what I am getting at here is that we are creating a Fund here, a Compensation Fund. Is there anything in the financial administration or otherwise which assures that the Compensation Fund will remain intact and the Administration cannot at any time at will draw funds from that Fund for other purposes, in other words, borrow from the Fund? As an internal control.

Mr. Hough: Section 65 provides that funds may be invested.

Mr. Chairman: In very basic terms my question is can the Administration of the Yukon Territory dip their fingers in the compensation till if they are short \$50,000 here and borrow from the Fund or will it remain secure with the provision of course that it can be invested.

Mr. Hough: Yes, Mr. Chairman, it will be set up as a separate account in the Consolidated Fund, and the authority for its use is set out in the Ordinance.

Mr. Chairman: But can the Administration borrow from it at will.

Mr. Hough: The Commissioner can invest some funds, as in section 65, but it would have to be in the form of an investment.

Mr. Chairman: But can he borrow money from this Fund

to meet day to day commitments in other areas of the Government?

Mr. Hough: Provided it was an investment.

Mr. Commissioner: I can't borrow money anyway. Unless Mr. Fingland knows of a pocket I haven't tapped yet. I don't know of anyplace where I can borrow money except from the Consolidated Revenue Fund of Canada and I need the Council's O.K. before I can borrow it, so...

Mr. Chairman: (Reads section 53(1).)

Mr. Tanner: I would just like to ask a related question on Medicare. The funds of Medicare form part of the Consolidated Revenue Fund and I take it that Medicare is set up as a separate bookkeeping entry, and that the money itself just becomes part of the revenue of the Territory, so that in the day to day process you might in fact be using part of the money, even though in the books themselves at no time would it show a shortage.

Mr. Chamberlist: Mr. Chairman, the Medicare Fund is kept in a separate account which is part of the Yukon Consolidated Revenue Fund in exactly the same way as the Liquor Account, is a separate account but it is still part of the Yukon Consolidated Revenue Fund. The expenditure on Medicare payments are taken out of that account. There are no other monies paid out, except for that particular purpose, the Medicare purpose.

Mr. Chairman: (Reads section 54(1).
Just as a comment from the Chair, this just seems to me that when you look at 52(8) which says that the payment of such expenses such as the Commissioner deems necessary respecting the administration of the Ordinance, we give him a blank cheque.

Mr. Chamberlist: Mr. Chairman, section 53 shows where the Yukon Consolidated Revenue Fund is and it spells it out, can assist by loaning money to this Workmen's Compensation Fund; but there is no indication at all and in fact it cannot be done, that money can be taken out of the Compensation Fund for which it is set up for a specific purpose, and use it for any other purpose. The Commissioner hasn't the power to do so, as he has indicated. The only way he can borrow money on behalf of the Territorial Government is from the Federal Government and then it has to come by way of submission in Bill to Council here.

Mr. Chairman: (Reads 56(1).)

Mr. Fingland: I think there is a misprint there 58(1)
Mr. Chairman. Let us have a look at that for a moment.

Mr. Chairman: Alright, while we are reviewing that... (Reads 59(2) to 58(5). I believe that old section 6 has been deleted. It doesn't appear anywhere else?

Mr. Fingland: That is right, Mr. Chairman. It has been taken out entirely at the request of the Committee in Dawson.

Mr. Chairman: (Reads section 58(6) to 58(14).
At this point, again from the Chair,
I raise the question that in adopting
a new scheme such as this that I felt that the past
performances under private schemes or otherwise, of an
industry within the Territory should be taken into
account in terms of this merit rating system, rather
than starting them off with a brand new fresh start.

Mr. Tanner: Mr. Chairman, the problem was, when we
discussed this in Dawson, and you raised the question,
where does the party get the information.

Mr. Hough: He gets it from the private insurance.

Mr. Tanner: Mr. Chairman, apparently, according to
Mr. Hough, they wouldn't give us any figures at all,
I am sure they're not going to give us their ratings.

Mr. Chairman: I would still feel that if the figures
are available and the information is available, they
should be considered by the Compensation people by the
Compensation Ordinance and they should be entitled
to a merit system for past performance.

Mr. Chamberlist: Obviously, Mr. Chairman, they are
not available because the insurance people know about
this Ordinance and know about the document and have
come forward with no presentation at all, so how could
we deal with it or even consider it?

Mr. Chairman: What I am saying is that if this information
is available, we should consider it, in my opinion.

Mr. Chamberlist: But it is not available.

Mr. Chairman: (Reads section 58(15) to 58(17).

Mr. Tanner: Mr. Chairman, just one point that I might
make in section (13) is that I can understand administratively
that the Administration might not want to set the cost
of the percentage cost for not making payment, but is it
not leaving it a little wide open to not set in the
Ordinance the amount of the penalty rate rather than
leave it to the Regulations which might change from day
to day?

Mr. Hough: Well, Mr. Chairman, speaking as to setting
a rate, actually I can't see too much problem to it.
I think the words by regulation were used by myself
because that is the manner in which they were set in
Alberta, and if you would like to know just how it
worked for non-payment... Initially the penalty was
4% of the amount due and then it could be increased
at the end of every three month period by a further
2% until you reached the maximum of 10% overall if the
account hadn't been paid. Now I may say that there
were very few instances where we ever got to 10% because
we had taken legal action to enforce collection or else
it was an account that we were just not able to collect.
But if you are going to put it in the Ordinance itself,
I feel then you have to take a look and decide on what
basis you are going to set your penalties. Personally
myself I would prefer to see it left to the people who
are administering it in the initial stages.

Mr. Tanner: Mr. Chairman, it does concern me a little
with the obvious ease for the Administration for doing
it that way, but it apparently doesn't concern any
of the other Councillors, so I guess I'll let it drop.
I think other Councillors should be aware of the fact
that if the circumstance arose where a particular
employer was not paying under the Regulations surely
you could continually impose a higher and higher
increasing penalty upon him. I don't suppose it is
going to happen in a month of Sundays, but it could
if you just leave it in Regulations and don't put it
in the Ordinance.

Mr. Chamberlist: Mr. Chairman, if it is not in Regulations,
the necessity of change to come about with some urgency, you
find yourself in the position of having to call Territorial
Council together. Then you will be forever changing it,
things could change so often. Let us be very careful.

Mr. Tanner: Mr. Chairman, that argument doesn't hold water,
because from what Mr. Hough says, they very rarely have to
use it. And on the occasion that they do have to use it,
they have to set a table to go by, there is no problem there
I don't think. And really, following that argument the same
way, you might as well have a piece of legislation called
the Workmen's Compensation Ordinance and the rest Regulations.
It would be just as easy to do that. The one problem that
I am having is the fact that it could be used to penalize a
particular employer. Like I say, I don't think it is going
to happen, but I think that we are leaving ourselves open to
it by putting it in Regulations.

Mr. Commissioner: Personally, I don't disagree the the Honourable
Member. I strongly recommend that we take a look at putting a
ceiling on this at 10% or consider some kind of a ceiling that
could be written into this. What happens between zero and that
ceiling, well that is a matter for administrative purposes, but
I don't disagree with the Honourable Member.

Mr. Tanner: Well Mr. Chairman, can we ask Mr. Fingland
and his working group to have a look at this.

Mr. Fingland: Yes, we can do that, Mr. Chairman.
Is that subsection (12) or (12) and (13).

Mr. Chairman: It is (12).

Mr. Hough: Mr. Chairman, the concern is by regulation..

Mr. Fingland: It would be (12) and (13).

Mr. Chairman: (Reads Section 59(1) to 60(2).

Mr. Tanner: With respect to the Chairman, may I ask
Mr. Legal Adviser, does this then negate a contract of,
for example, a small individual, I don't mean to criticize
"small", Mr. Chairman, I mean a man who has a one-man
business, contracting with another corporation, and the
contract might read "I'll make no deductions or will pay
you no Workmen's Compensation and it is up to you to
pay your own". Does this negate a contract of that nature?

Mr. Legal Adviser: It all depends on each individual
company. It is dependent, Mr. Chairman, on whether the
contract was serviced and all the applications of law
in respect of the contracts.

Mr. Tanner: Mr. Chairman, could the Legal Adviser
differentiate for me the difference between of service
and for service types of contracts?

Mr. Legal Adviser: Contract of service is a contract
wherein there is a relationship of master and servant
therein. A contract for service is a contract where
there is no master and servant relationship but the
confederate is independent and can perform the work in
any way he likes, does not have to do it in the way
the master wishes, except to conform with any plan.

Mr. Tanner: The way the contract calls for it, is it
negated under the Workmen's Compensation Ordinance
by 69(2)? Oh, I'm sorry, 60(2). The one we just read.

Mr. Chairman: Councillor Stutter, would you mind taking
the Chair for a moment?

Councillor Stutter takes the Chair.

Mr. Taylor: Mr. Chairman, in reviewing the Ordinance,
this part has caused a great deal of difficulty with
those I have been in contact with in respect of it,
and it was found to be quite unconstitutional for the
want of any other term at the moment. As we read
it, it states that, for instance, in the terms of
hypothetics say that in the mining explorations, there

is a contract with a group of geophysicists who carry and conduct a geophysical survey on the water of my property, and I also contract with line cutters and with claim stakers and this type of thing, in other words, it is a -- company that is contracting out, but in the terms of this Section 60(2), you say that all the employees of all those people I have contracted out to are deemed to be employees of mine and this is the way it reads "or of the prime person who is doing the contracting". This seems to myself and others to be so grossly unfair. Now I think the intention of this Section is to insure that if indeed I do give someone a contract, as the person levying the contract and being worked on, that the Workmen's Compensation Board, or in this case the Commissioner or the Government, wants to insure that all those people who are contracting or sub-contracting have covered their workmen with compensation. Now I believe that in my understanding, now maybe Mr. Hough or somebody could advise me in this matter, but I believe that this is done in British Columbia, by insisting that there be a hold-back contract, now I think it is 3% but I am not clear on that, from this person's contract, until he can assure me that the person who is letting the contract has covered his workmen and if all is well and fair then he gets the balance of the 3% of the contract. That seems to me to be abundantly fair, but to take a piece of legislation such as Section 60(2) and start "deeming" - and shall be deemed to be and is hereby constituted a workman of the corporation - I think is unworkable, I think it is unenforceable. I think it is completely unconstitutional, and I would like to see consideration by Committee to this matter. I think it is the most important detrimental section of the Bill that I have encountered since our meeting in Dawson.

Mr. Legal Adviser: Section 60, subsection (2) does not apply to the particular circumstances other than .. at all.

Mr. Chairman: It has been interpreted by every employer that I have communicated with directly in relation to this, it is interpreted the way I have suggested it and I think that it should be made abundantly clear and any piece of legislation that may produced by this House, it should be stated in such a way that everybody fully understand that it should not be opened to many interpretations. I feel that it should be changed. I would like to hear Mr. Hough's opinion as to how this is coped with in British Columbia if he has that information.

Mr. Hough: Mr. Chairman, first of all I would like to draw your attention to some sections which we will be coming to, Section 67 (1) and Section 68 (1) which I think cover a lot of the points that have been brought up by the Honourable Member here, and then could come back to Section 60, subsection (2). This Section is practically word for word with that of the Alberta Board and it is a Section that we consider corporate administration of a corporation to be a workman of the corporation. It speaks about every person rendering service to a corporation. It is deeming them to be a workman, and that is your President, your directors if they are actively engaged down the line. It has nothing to do with the contract that you may let. That comes up in a later Section. You are referring now, Mr. Chairman to Section 60, subsection (2).

Mr. Chairman: How then, if I could quickly have it pointed out to me, how then, is the problem I suggested overcome by the application of Section 67 and Section 68?

Mr. Hough: Mr. Chairman, under 67 (1), this deals with the liability of a principle to withhold monies from a subcontractor or a contractor before he makes final settlement with him. He gives him the authority, he points out the liability that he is under, if he does not do so. Section 68, we will be coming to it. I don't know if you want me to go into that. Well, Section 68 is a Section that deems a person doing any work in a industry for someone else if he is not himself engaged in an industry under the Act during that work, he then becomes a workman of that principle.

Mr. Chairman: That still does not resolve my problem. My problem is that I say that it is completely unconstitutional to subsection 2 of Section 60 to state - you said every person rendering service to a corporation. And this is all the contract that is contracted to a principle, should we say. Where and however incorporated are constituted. Under a contract of service, written or oral, express or indeed even employed, whether such person is or is not a member or executive of the corporation and whether or not the corporation is or not under legal obligation to pay such person any wages. Nevertheless, he is saying here, that he is deemed to be and is hereby constituted a workman of the corporation. I feel that this works a hardship on the employers and is totally unconstitutional and I still think that has to be changed. That is the Sections which states, I don't know if we set the percentage, but I think the Section that states that the principle is responsible as far as his contract is concerned. The people that are contracted to him, to ensure that the contractor is doing work related to his contract, has covered his workmen with compensation. If he insisted that he have a hold-back on that man's contract, of three percent or whatever percentage may be found, not in Alberta but say in British Columbia where this might be done and a form is done this way here and get rid of this objectionable feature in Section 60, subsection (2).

Mr. Chamberlist: Mr. Chairman, I wonder if I can get across Councillor Taylor the work he has suggested isn't applicable to this Section. I'll put it to Committee this way, Mr. Chairman, that people can render a service to a corporation by being a consultant, the service that is being rendered, his advice that is being given, and with respect, Mr. Chairman, the Honourable Member has been shown that whatever the position of that person who is offering that service, whether he is giving that service free, without remuneration, or whether he is being paid for that service, for that purpose of giving that service, it would be deemed that he would be a workman. Now, it's a benefit to that particular person that can be deemed to be a workman. The other area that the Honourable Member, or rather, Mr. Hough, our witness has given, shows where the reference of the Honourable Member has made is dealing with a contractor, because he is a contractor, in any event he has his employees covered by the Workmen's Compensation. We shouldn't be confused with the really clear meaning as I see it, but first, I will agree, Mr. Chairman, I have to take another look to get the Honourable Member's message across. It appears to me that the position of a person who's given service in this instance, is entirely different from what the Honourable Member appears to interpret. I suggest that it doesn't include the areas that he has suggested and it doesn't appear to me unconstitutional in any way because it simply gives the right of an individual who is providing advice to be included in the category of a workman for the purpose of this Ordinance. This is the way I feel.

Mr. Chairman: Mr. Stutter, would you please take the Chair?

Mr. Taylor: Mr. Chairman, I can't necessarily agree to all of what is said here. If I issue a service contract to haul ore waste or product, shall we say. Under subsection (2), "every person rendering a service to a corporation" and then they go on to say under a contract of service, written or oral, it is still a contract. It can't be termed anything else, it is a contract of service and it amounts to the same thing.

Mr. Chamberlist: If the Honourable Member left a service contract, the people who are going to be employed, as a contractor, and 67 deals with a contractor who is in any event, because of other Sections of the Ordinance, have to and his workmen covered as workmen being employed by the contractor. Now, there is a lot of difference between a service contractor and a person who is providing a service to a corporation. The telephone company is providing a service to the corporation. Are you going to say that is a service contract? There are all types of services, if you have gone into the interpretation of what is service and what is intended in this

particular area. Certainly, we can get all tied up with it, but it is clear to me now. At the beginning, I really had a doubt.

Mr. Taylor: Mr. Chairman, with due respect, you're talking about telephone companies, we have the telephone company do many service contracts in the provisions of line and communication facilities for fire alarm systems, for communication systems within buildings and groups. This is indeed a service contract. I don't care how you kick around, it is. The objectionable part of section 60, subsection (2) is the deeming to be and is hereby constituted a workman of the corporation and this is what I find objectionable and other people do as well I feel that this has to be looked at in the light eye of giving it. I don't feel that you can consider and deem a workman of a contractor, service contractor or otherwise a workman of the principle and that is what is still stated here, and I don't give a darn how you kick around, that is what it says, and that is what is objectionable.

Mr. Chamberlist: Is there any other Member seems to have any objections at all. I haven't heard that.

Mr. Finland: I think, Mr. Chairman, I think the confusion is a very easy one to make. I think the problem is with the terminology in the use of the word service contract. Because normally, what I think of a service contract, I think of a contract between two principles where one is rendering a service to the other, and these are dealt with as Mr. Hough points out later on. Normally, these contracts are between the government and private companies or between two private companies. What this Section is intending to do is to ensure that any master and servant relationship, whether it is called the service or contract or otherwise, is in fact a relationship for which there must be assessment made and compensation payable in the event of an accident, and that Mr. Chairman, is really the cheapest.

Mr. Taylor: Thank you, Mr. Chairman, that brings us a little closer to home. Then, it only remains that, that is what you must say, very clearly and distinctly, Mr. Chairman, in subsection (2) of Section 60, so that it is not inferred that a contractor contracting generally speaking for a service with a principle is covered under subsection (2) where all the employees of the contractor are deemed to the employees of the principle, if you get what I mean. You are talking as I'm explained to be that it is strictly a master service relationship. Now, I think then, that subsection (2) should be taken back for redraft so that it is expressed quite clearly so that it cannot be construed as being other than suggested as a master service relationship.

Mr. Finland: Mr. Chairman, I think that I would be very, very reluctant to see this redrafted. This had been very carefully worked out over a long period of time and as Mr. Hough has pointed out, it has been evolved with a great deal of difficulty in the province of Alberta and I would be very, very reluctant to see the changes made.

Mr. Chamberlist: I have an example: In the Territorial Government we contract with house parents to take care of group homes. I think it is a very valid point that Mr. Commissioner just pointed out to me, and it is quite true. The day care are not covered for Workmen's Compensation unless they, because they provide a service to the corporation, and this case, the Territorial Government, that they are covered and be deemed to be employees. This is what it means, because otherwise they would not be covered, because they have a contractual relationship, but providing a set up and this can be in the same manner that we assume that there is a corporation who has a guest house, and the corporation that contracted with a couple to take care of their guest house. They are not normal employees of that corporation, but within this Section, they are deemed to be workmen because they are providing a service for the corporation.

Mr. Taylor: If this is what is intended, I'm in complete full-hearted agreement with it, but what I'm saying is not what is stated. It has taken us twenty minutes here, or so, however long this discussion has gone so far to determine just what it means in the first place, which we just found out: That what you are talking about is a master - servant relationship. Now, certainly if the legislators who are attempting to bring down legislation which is understandable and reasonable-- if we can't understand at first glance, how are the courts, or the public who must live by this to understand it? I'm still saying here, I know it is intended, you are talking about this master-servant relationship, but you are not saying that here, you are saying that every person rendering service to a corporation and you are not defining who you are talking about. You are including everybody, and that is what you have said in subsection (2), and that is why I say, let us take it back and draft it so it is clear what the intent of subsection (2) of Section 60 means. Who is intended to cover and who is not intended to cover? That is what I'm saying.

Mr. Legal Adviser: Mr. Chairman, could I make this point clear. The only people who are covered are not people who are rendering services to a corporation; they are people who are rendering services to a corporation under a contract of service. There are many people who own small businesses which are incorporated, and they work for nothing. They take a share of the profit. There are salesmen working for corporations who are on a commission basis and get no wages as such. There are many, many people in the provinces, such as Alberta, less so than here. This is a specific legal definition which has been the same for approximately three hundred years, and I would hesitate to get another meaning for "contract of service" which denotes the master-servant relationship. This covers directors of a corporation who happen to work every day in a business; managers, directors and so forth, no matter how their contract is written. They are working for a corporation. It has nothing to do at all with the company contracting with an outside person as a painter, geologist, or anything else. That's covered by other sections. This is a specific section which has been in similar form, I think, in our last Ordinance; it is virtually the same, using the same technical terms, in every province of Canada in this and other Ordinances; and I would hesitate to go further than that. Any tampering with this could only do damage and take away the privilege from people who need it. It would also rob the fund of money because we are forcing people to pay the premium, the levy, in respect of people who are working for them, and not allowing them to say, "He works for nothing; we're not paying him". We can fix a reasonable amount of levy to be collected in respect of these people.

Mr. Taylor: Mr. Chairman, I won't push this point any longer at this point in time. I still find it objectionable. What is intended, I agree with, but what is expressed here is still, in my opinion, unconstitutional in that it's open to a broader interpretation than what is intended. I would like to see a redraft on it. I don't know, but perhaps if we haven't got the capabilities within the Territorial Legal Department to do it, maybe we could send it out to somebody who can. But, no one can tell me that if there was any responsibility anywhere, legal, legislative, or otherwise, that there isn't some expertise in a country that could tackle a problem like this and come up with an answer. It has got to be somewhere. Let's send it to England, or somewhere, for a redraft into something that the common, ordinary man on the street can understand.

Mr. Chamberlist: Mr. Chairman, all I can remark to the suggestion made by the Honourable Member, is that because a particular section doesn't suit his satisfaction, that the members of the Legal Department of this government are incompetent, that's absolutely incorrect, and he should withdraw that type of remark.

Mr. Taylor: If there is any reference to incompetence around here, it is certainly not from me, Mr. Chairman. I haven't stated it and I could only conclude that the Honourable Member consider his own advice.

Mr. Chairman: Order, order.

Mr. Taylor: I resume the Chair at this time and declare a recess.

RECESS

Mr. Chairman: I'll now call Committee back to order, and we'll continue with the reading of the Bill. (Reads Section 61(1) and (2).)

Mr. Tanner: Mr. Chairman, aren't the last two sentences of the last two paragraphs a little sweeping? It seems to me that ... again, I don't think it's going to happen, but it could happen that the Commissioner could, if he wanted to, or somebody within the administration of this Ordinance, be asking for all sorts of details that a business might not want to reveal. Basically, what they are trying to attempt under these two particular paragraphs is to get the details of the employees, salaries, and how they are being paid and so on. I don't think it should necessarily ask for any other features of his business that he might want to ask for. Could Mr. Hough perhaps illustrate what is in the Alberta Ordinance?

Mr. Hough: The Alberta Act reads: "Every employer shall keep within the province in such form and with such detail as may be required for the purposes of this Ordinance, a careful and accurate account of all wages and earnings of his employees and of such other features and particulars of his operations as the Board may require." Now, Mr. Chairman, what you may run into there, and I think that the reason it is worded this way, is in the case of an employer who has let out contracts; you want to see what these contracts are and to whom. Maybe he hasn't supplied them to you and you want them because you want to check up on the other contractors or subcontractors, that is, in addition to his payroll. Those would be other features. You see, there are two features in here. I think that should be "features or particulars".

Mr. Tanner: Mr. Chairman, in that case, shouldn't there be something else? Perhaps it's there and I've missed it, or we're coming to it. That is, guaranteeing the confidentiality of that information only to the Administration or to the Board or to the Referee or to the Commissioner?

Mr. Hough: Mr. Chairman, I think that you will find that that is written in a little later on in this Ordinance, but it is a point that should be noted in case it isn't.

Mr. Chairman: (Reads Section 60(3) to 60(14).
Just as a point of interest, should not the "Government of the Territory" be a small "g", because there is no government of the Yukon Territory?

Mr. Legal Adviser: That's not the point. It's a question of grammatical construction and using a certain person, whether they are or not, who would always be the captain of that team.

Mr. Chamberlist: Yukon has it spelled out, Mr. Chairman, with a large "G".

Mr. Chairman: The Member is informed that if he used the Yukon Act, there is no large "g" under government of the Yukon Territory, if he would care to take a look and bring it up here. There is no Government of the Territory, no large "G" type government, and I believe that should be a small "g" government.

Mr. Chamberlist: Gee whiz.

Mr. Tanner: Is the Chairman going to make a motion to that effect?

Mr. Chairman: I don't think a motion is necessary. There is no Government of the Yukon Territory, and it should be reflected in the legislation this Council. It's right in the Yukon Act.

Mr. Tanner: I would think the Chairman could make a motion to that effect.

Mr. Chairman: I'll make the suggestion that it may be considered a typographical error. (Reads section 62 65(1).)

Mr. Chamberlist: Mr. Chairman, I would rise on a point that the Honourable Member, Mr. Chairman, just made a little while ago, and that was when we were having a little banter about the government of the Territory. Now, the reason why I rise here is because it is unusual in legislation of the Yukon to have the words "government of the Territory", and I would suggest that what should be said is: "... to agencies or departments of the Government of Canada, the Commissioner of the Yukon Territory or ...". Now, I think that is a point that was well taken there, and always in legislation we make reference to the Commissioner. The legislation says "the Commissioner", and I think we'll have to see the words in there.

Mr. Chairman: (Reads Section 65(2).)

Mr. Chamberlist: Mr. Chairman, I have to point this out to the Honourable Members here, that in this section 61(4) that Councillor Taylor referred to, it would appear that we would have to readjust that whole section because the Commissioner would be given the power to report to himself and in functioning along we have to take note of that.

Mr. Chairman: (Reads Section 66(1).)

Mr. Tanner: Just one small point. Mr. Legal Adviser, are we using the word lodge instead of deposit?

Mr. Legal Adviser: It has been there for a long time.

Mr. Tanner: But Mr. Chairman, what we are asking this particular employer to do is a security deposit basically, why not use the word "deposit". "Lodge" doesn't necessarily mean that.

Mr. Legal Adviser: That is what it means. If you wish to change it, I have no objection to it.

Mr. Tanner: Well, it is just a small point, but the Honourable Member from Watson Lake was saying that we should write this so that the public can read it, and I think the word "deposit" is more suited for it than the word "lodge" - it is sort of out-dated.

Mr. Legal Adviser: One is Anglo-Saxon and the other is --

Mr. Chairman: (Reads Section 66(4).)

Mr. Tanner: Mr. Chairman, there is another small point here, and it is again updating. It is general business practice to use an ordinary cheque in business. I have had occasion many times to deal with the Government and bring stuff across the border and consequently I have had to deal with the Post Office, and it is extremely inconvenient to have to deal in certified cheques or cash, and the rest of the business world does not deal in certified cheques or cash, they deal in cheques. I really don't see the insistence on certified cheques when the normal business practices in cheques most of the time.

Mr. Chairman: Is it not unlawful to send through the mail this money? I know it is done every day but is it lawful?

Mr. Legal Adviser: I don't know. I'm sure that...

Mr. Chairman: I realize, speaking from the chair, that it is done, but is it lawful? You will find people in the outlying districts, as the Honourable Member has pointed out, who do not have an ability to certify a cheque and so they merely write a cheque on their account to the Receiver General of whatever Government or Administration they are dealing with, and this is an important point, I think.

Mr. Tanner: Mr. Chairman, just to pursue it a little further, the Honourable Member makes a very good point, because there are many areas in the Yukon where you can't get a cheque certified and you might not have cash on hand to do it, but you can write a cheque on a Whitehorse bank account. In all these procedures for the Commissioner or the Administration to go back on the person from whom they have not got their money, and eventually they could go to garnishing, impounding property and so on, I think that if it is a general course of business to use a cheque, why can't we use it here. I notice Mr. Chairman nodding his head, and I would say the same thing about his department too. Why do I have to go down to your department, sir, with a certified cheque if I want to pay for a license, like any other business in town?

Mr. H.J. Taylor: Well, Mr. Chairman, we accept cheques that are not certified.

Mr. Tanner: Well, Mr. Chairman, it has been a change since the last time I tried to pay a ... or maybe it was just for me...

Floor: You answered the question. Even I don't need a certified cheque.

Mr. Chairman: Well, is it possible that this matter could be considered as well with the group?

Mr. Legal Adviser: Mr. Chairman, in this particular case we are dealing with employers who are already in default or in serious risk of default, and in this certain case, the certified cheque would be wise.

Mr. Fingland: I think, Mr. Chairman, that we would prefer to stay with certified cheques in this case because this in fact is a form of authority and I think we want to make sure...

Mr. Chamberlist: Mr. Chairman, if we look at 66(3), the last three lines - or four lines - and the employer within fifteen days after notice to him of such requirement shall lodge with the Commissioner additional security. That is the key there, the reason is because there has been a risk attached to it in the amount and of the class or character stated in the notice. Then sub (4) is "the security shall consist of a certified cheque, and I know that the Territorial Government has yet to send one of my cheques back and they haven't been certified, and it applied to everybody and it is up to the Government to accept them. Even the Post Office.

Mr. Chairman: (Reads section 66(6) through to 67(4))
I am wondering if you have had a chance to look at that B.C. legislation yet.

Mr. Hough: Mr. Chairman, I haven't.

Mr. Chairman: Oh. So in other words, what we are saying here is we're not, as in some jurisdictions I understand, setting a fixed percentage, say 3% which would be considered a hold-back. Here it can be anything as long as it meets the amount owing.

Mr. Hough: Mr. Chairman, it can only be the amount of the assessment in the respect of that particular work.

Mr. Chairman: (Reads section 68(1))
Could I have just a fast quick summation on that one, Mr. Legal Adviser?

Mr. Chairman: What are we essentially saying here?

Mr. Legal Adviser: It's a very difficult subsection to explain Mr. Chairman. All you can do is paraphrase the wording in the subsection itself. Where a partner is working for another he shall be deemed to be a workman of that person. That's what the first part says, except either the employer or the workman of the employer to whom the Ordinance does not apply or under another section, would be deemed for some reason not to be a workman under subsection 8(1). Does that make it clear?

Mr. Chairman: Not completely. In sub (a) of 68(1) you say where a person does any work in an industry where this Ordinance applies.

Mr. Legal Adviser: There are two industries to which Ordinance does apply, farming and ranching.

Mr. Chairman: But we're back again to the contractor proposition that I spoke of where is it possible to construe in 68(1) that an employee of a contractor deems to be a workman of the principal.

Mr. Legal Adviser: No. It's not intended to relate back completely to the other cause. It follows on them.

Mr. Chairman: But does it?

Mr. Legal Adviser: Where a person works in an applicable industry, then he shall be deemed to be a workman unless something happens. The "unless" then is the exception of (c), (d) and (e). Unless he is an employer himself, in which event an employer, you've got a contractor who is an employer, that sub-contractor is not himself liable for assessment in right unless he wishes to be so. But his workmen are, or if an employer in the industry does not apply, a farmer or a rancher or a workman of a farmer or a rancher, these now are the exceptions I am talking about, or if he ceases not to be a worker because he is an out-worker or a domestic servant or for some other reason, I think these are in section 8(1).

Mr. Chamberlist: Mr. Chairman, under that (e) it should not be subsection 8(1), it should be section 8(1).

Mr. Legal Adviser: It should be subsection 8(1), Mr. Chairman please.

Mr. Chamberlist: How come there's no subsection 8(1) in section 68.

Mrs. Watson: It's not.

Mr. Legal Adviser: It means section 8, subsection (1).

Mr. Chamberlist: Oh, it's just new numbering.

Mr. Hough: Maybe I could just elaborate a little on this. You are an employer engaged in the industry under the Act and you maybe are going to have a little extra work done by somebody, an individual on a contract basis. He's not an employer. This section will bring him under you as a workman. First of all, you have got to read it "where a person does any work in an industry to which this Ordinance applies; and for a person engaged in that industry", this may not be the regular employer. Well, that person doing that work shall for all purposes of this Ordinance shall deem to be the workman of the principal, except when the person doing the work under (c) is an employer in an industry under the Ordinance or the workman is in effect the employer. Because the workman is covered by the employer in (c).

Mr. Chamberlist: He's in a special category.

Mr. Chairman: Yes, I see now.

Mr. Hough: Now (e), depending on what you do with farming and ranching, may have to be removed.

Mr. Stutter: Mr. Chairman, I do have one question for Mr. Hough. I have to be specific in this instance because it relates to relatives. Now, we just had an instance where my father-in-law has been up and he has been helping us on sort of a casual basis in our mining venture. Now in our mining venture, we have a compensation policy and are covered by compensation and will continue to be and he was more or less living with us. Now going back to 8(1) I would like to know really how you would define household because in actual fact they weren't living right with us. They are living independently in a cabin on the property. I know it sounds like a put up case this but this has actually happened in the last

short while. Now I would like to know under normal circumstances would he have been covered under this Ordinance, had he had an accident?

Mr. Legal Adviser: The charge for this advice, Mr. Chairman, is fifty guineas. The answer is no. He wouldn't be covered no.

Mr. Hough: Pardon me, Mr. Chairman. Under the definition of a member of a family is a father-in-law a member of the family? Father-in-law is a workman.

Mr. Legal Adviser: Perhaps. He's a member of a family, I mean employed by him and dwelling in his house while a member of his household.

Mr. Chairman: (Reads section 68(2) through to 71(1)) Why is that comma circled at that point? What is the reason for that?

Mr. Chamberlist: He wanted the comma out but we couldn't take it out because it meant differently, Mr. Chairman. So Mr. Chairman the comma should be included.

Mr. Chairman: (Reads section 71(1)) It still reads to me that any employer who refuses or neglects to make or transmit any payroll, and I don't think the employer as we said before should be directed in any Ordinance to transmit his payroll to anybody else but the employee and that's what it says payroll comma.

Mr. Chamberlist: Mr. Chairman, if you took the comma out you'd have any payroll return which is one thing and other statements. This way it's payroll, that's one matter, return another matter or any other statements.

Mr. Chairman: But you said payroll information or something of that nature so you indentify it as material not the actual payroll itself.

Mr. Fingland: You're thinking of the actual salary. You're thinking of the records? Well why don't we say transmit any records of payroll, or payroll statement.

Mrs. Watson: Mr. Chairman, for your information, particularly section 60 sub (2) that you were worried about. I think that the example that the Councillor from Dawson gave is a very fine example of section 60(2).

Mr. Fingland: Well Mr. Chairman, I would suggest that subject to what the Legal Adviser might say that what we really need there is that any employer who refuses or neglects to make or transmit any payroll statements or returns --

Mr. Chamberlist: He's just saying that payroll statements or any return of statements or any other statements. This is what he is saying.

Mr. Chairman: Ok. (Reads section 71(2) and (3)) You noted the typographical error, line three from the bottom - cope should read 'scope'. (Reads Section 72).

Mr. Chairman: (Reads section 73 through to 74)

Mr. Chamberlist: I wonder if there is a few words here that are superfluous, that Committee should look at. At the beginning, you say "Subject to any statute of the Parliament of Canada, there shall be included among the debts that, under the Trustee Ordinance, the Companies Ordinance or any other Ordinance of the Territory. Why not right away say, "Under any Ordinance of the Territory. Why even mention two, what do we want this for? Unless we are sitting under any Ordinance, why have the two Ordinances named in the first place? Well, what do you think, we should look at it?

Mr. Legal Adviser: I have no objection on it.

Mr. Chairman: (Reads section 75(1) through to (3)) How can a workman satisfy himself that his employer has paid his assessment before entering employment? So what you are saying here, before he is hired, he must ensure that his assessment has been paid. That cannot be done, can it?

Mr. Chamberlist: I wonder is this is before any new employment, before he enters any new employment?

Mr. Hough: Mr. Chairman, your employer at the first of the year, submits an estimate of what his estimate of what his payroll is, he pays his assessment on the basis of that estimate, this is in here, I have never heard of it ever being used, but it might be. When a workman is starting part ways through the year, if he wishes to satisfy himself that it has been paid, it gives him the authority to do so. I may say that I have seen the odd place of business over the years where the employer will either post up on the notice board, a copy of the receipt or even a copy of the assessment of it. Sometimes, they do this to draw the attention of the workman how much they have to pay by way of assessment.

Mr. Chairman: (Reads section 75(4).

Mr. Tanner: Mr. Chairman, have you ever seen that description in Alberta?

Mr. Hough: In thirty-two years, I think once.

Mr. Chairman: (Reads section 75(1) through to (6))

Mr. Fingland: Mr. Chairman, this should actually be double registered and the same also applies to subsection (9) of the top of page 33. It is my understanding that the difference of registered and double registered is that if you register it, you don't get a receipt. It returns by the recipient and I think that it is intended here that there should be a receipt signed by the recipient in return.

Mr. Chamberlist: Well, there are cases when they are double registered letters, and they are still not received, all you get is your letter back.

Mr. Chairman: In this case, I see the point.

Mr. Fingland: It is assumed here -- I would suggest if the Committee agrees that in subsection (9) and in this subsection, that it should be changed to read double registered.

Mr. Chairman: Committee agree?

Some Honourable Members: Agree.

Mr. Tanner: Mr. Chairman, the other small point is that, God forbid that I should take to this side of the argument, but supposing somebody refuses to accept the letter, you can serve it for some reason or other, when you mail it to him, if he refuses to sign the double registry, he still hasn't served his notice on anything and still get away from it.

Mr. Fingland: That could be a problem, Mr. Chairman, there is no question about it, you would have to attempt to serve it on him personally.

Mr. Legal Adviser: It is a problem, I'm not quite sure what we can do about it, we can't take a man and make him take his registered mail. The kind of people you are dealing with in these instances are people who never, ever pick up their registered letters.

Mr. Chamberlist: And those who don't want to pick up their registered letters.

Mr. Legal Adviser: All the mail they get that comes by registration are bills and more bills, and they just avoid it.

Mr. Chairman: I think in view of the time, we'll stand Committee in recess until 7:00 o'clock.

RECESS

Mr. Chairman: At this time, we will call Committee to order. We are dealing with Bill No. 35, and we had arrived at Section 75, subsection (6). We will proceed with subsection (7). (Reads section 75(7)) There is a section that has come out?

Mr. Fingland: The old section 75 of the old Bill, Mr. Chairman. It dealt with agreements and so forth which is already covered prior.

Mr. Chairman: Will Committee so note? (Reads section 76(1))

Mr. Chamberlist: Mr. Chairman, I would like to take this opportunity, because we always draw the attention of Committee and Council when very important people come into this Chamber. I would like to let Council know that the editor of the Whitehorse Star, this great journalist, is now in the Public Gallery.

Mr. Chairman: May we resume our business? (Reads section 76(2) through to (3))

Mr. Legal Adviser: Mr. Chairman, I think it should be "who is named therein", not "he is named therein". That is, who is named in the summons.

Mr. Chairman: The project is to who? Oh no, right, I've got you now. Committee so note. (Reads section 76(3) through 77) Then we have lost subsection (3) of the original Ordinance.

Mr. Fingland: That's right, Mr. Chairman. That was a duplication of the exemptions for particular types of employment in section 5; the outworkers, and so on.

Mr. Chairman: Yes, the farming and ranching also. (Reads section 78 through 80) Section 81 has been changed.

Mr. Fingland: Mr. Chairman, the section in the present Ordinance is as it appears in the revision.

Mr. Chairman: (Reads section 81)

Mr. McKinnon: Why the necessity for the elaboration of the Commissioner's regulations making powers.

Mr. Fingland: Mr. Chairman, it really isn't absolutely essential that they be spelled out, but it is a little easier to administer and easier to define the precise areas in which we want to make regulations in the prescribed form.

Mr. Legal Adviser: We need (c) particularly, respecting the prevention of accidents and industrial diseases. That is not part of the Ordinance as such. Unless that were there, the general section would not be wide enough to include it. It has always been the case here; you've always had that power put in the Ordinance.

Mr. Chairman: (Reads section 82 through 84)
This completes the reading of the Bill. There are several areas of discussion which are being referred back to the Legislative Programming Committee, I believe, and no doubt we will have amendments forthcoming in due course. I wonder if, at this time, you would be prepared to deal with Bill No. 36?

Mr. Chamberlist: Mr. Chairman, will you be reporting progress on this Bill?

Mr. Chairman: I will be reporting progress on the Bill. Now, Bill No. 36.

Mr. Chairman: This is Bill No. 36. It will be the Workmen's Compensation Supplementary Benefits Ordinance.

Mr. Stutter: Mr. Chairman, before we go into Bill No. 36, I wonder - I perhaps wasn't paying as much attention to the end of Bill 35 as I should have been, I was passing notes back and forth, but I did have one general question that I wanted to ask Mr. Hough, and that was: The Yukon, being relatively small in population and funding being relatively low in terms of and by comparing it with the provinces, how often do you feel it would be necessary to make reassessments in the percentage rates? Because almost any type of accident that happens in the Territory of any major consequence is going to effect the fund considerably, more here than it would in the provinces. I am talking about in a percentage way. How often do you feel that we would have to take another look at the premium?

Mr. Hough: Mr. Chairman, it is my opinion that your rates be looked at each year, just the same way as any other board in the various provinces. I can relate how it is done in Alberta. We had of course, been operating for years, starting off with day one of year one. What we do is we examine the cost of the previous year, the experience of each classification of industry that we have and then we start in at about October of the current year, we have the costs up to the end of September, we can tell from our previous experience and we can estimate what the crux or the balance is going to be for the balance of the year, which gives us an indication of how each particular class has been operating for the year. If it looks as if there is going to be a deficit and the class balance has been reduced below a safe margin, then the rate to all employers in that industry could be increased for that year. If you find that the balance is sufficient and that the margin is adequate, there will be no increase. On the other hand, if you find that you are building up a class balance higher than what you feel is required, you reduce the rate for next year. This should be looked at every year.

Mr. Chamberlist: Supplementary to Mr. Hough. You mean after a year has been completed, for the year following, after you otherwise assess the situation, it is for the completion of the whole year.

Mr. Hough: I would say that during your year one, 1974 if this be the case, that along about sometime next September or next October, you take a look at how your classes are doing. You know then pretty well what your revenue is. Now there are adjustments in your payrolls from the estimated to the actual which will have to be estimated and that creates additional revenue, and you take a look at your costs, what they are up to that time, and you've got to try and estimate what your costs are going to be for the balance of the year. Now you are in this fortunate position in that you have got the costs on record here of previous years that the Ordinance has been in operation under the insurers, because you have the record of those costs. And in determining my forecast, I used those costs, the actual costs that are on record here, and it continues. You can go back over the year and you will have some years where those costs may be a little higher, but you can look as your average over five years (I used a three year average) but you can go back over five years and you can take a look at them. You should be able to determine what the costs are going to be for the balance of the year. Have I clarified it or have I confused you?

Mr. Stutter: No, only partly, Mr. Hough, because you have said now that you can look at your costs over a period of three to five years, and this is my point exactly. I can see where in the provinces where you have got many people involved, in fact in some millions of people involved in a compensation scheme, small changes aren't going to make that much difference. But

here in the Yukon where you have only got a population of 20,000 odd, if you are going to look at an assessment or changing premiums on an annual basis, it seems to me that those payments are going to be up and down like a yo-yo.

Mr. Hough: Not necessarily so, Mr. Chairman, I don't think. They should be able to hold relatively static. The rates that I came up with in my submission I felt were adequate to cover you for your first year's operation and to start to build up a reserve. Now the Alberta Board in most classification of industries, not in all of them, but in most of them, felt that they required one year's cost as a class balance, so that you can hold a rate steady and you are not jumping it up and down. Now it has got to be appreciated that you have got to start off from somewhere. But I felt that the rates that you saw up at Dawson were good rates to commence with and that if it followed along the way I forecast it, at the end of five years, some of these rates would be reduced. But they should be looked at each year. I appreciate the fact that it is a much smaller operation.

Mr. Stutter: Just one more question, Mr. Chairman, and then I will just have to rely on Mr. Hough's 32 years of experience and hope that what he says is completely true, but do I take it then from your last statement that the chance of any reduction in rates would only be looked at possibly in the five year period. We wouldn't be looking at reductions annually.

Mr. Hough: You look at your reductions annually too.

Mr. Chairman: Further questions on Bill No. 35. Let us proceed with the reading of Bill No. 36.

BILL # 36

Mr. Chamberlist: For the record, might I put in here, Explanatory Note - the purpose of this Bill is to enable the Territory to subsidize widows and dependants's Workmen's Compensation pensions payable under the former Workmen's Compensation Ordinance to raise them to the levels being paid by the new Workmen's Compensation Ordinance.

Mr. Chairman: (Reads section 1)

Mr. Hough: That subsection, Mr. Chairman, is new.

Mr. Chairman: This is to insure that the payment of existing private plans...

Mr. Hough: It is to insure that the Supplementary Benefits in future years will be payable in respect to anybody who had a pension stuck under a private contractor...

Mr. Chairman: (Reads section 4 and 5)

Mr. Stutter: Mr. Chairman, I just have one question on this and that is the additional cost of \$35,000 which will be borne by the Yukon Consolidated Revenue Fund, or otherwise the taxpayers of the Yukon Territory. That then would be on a diminishing basis, I suppose there would be no danger of this going on as infitum, as the cases dropped, so would the burden.

Mr. Hough: It consists of two parts, Mr. Chairman. There will be the recipients of pensions, and that will gradually go down over a long period of time as the people drop off, but that is a fairly long term thing. They would drop off the list, as it were. However, there are a lot of periods, there is a period of one year from the coming into effect of this Ordinance, where there will be supplementary benefits payable in respect of short term disability, but that will disappear entirely within one year. Our estimate is about one year.

Mr. Chairman: Any further questions on Bill No. 36? What is your pleasure in relation to this Bill?

Mr. Tanner: I was wondering if you could read the preamble to it as presented now before Committee?

Mr. Chairman: Do you want it read now? O.K., this is the Workmen's Compensation Supplementary Benefits Ordinance. The Commissioner of the Yukon Territory by and with the advice and consent of the Council of the said Territory, enacts as follows:

Mr. Chamberlist: Mr. Chairman, I move that Bill No. 36 be reported out of Committee without amendments.

Mr. Chairman: Is there a seconder?

Mr. Tanner: I second the motion.

Mr. Chairman: It has been moved by Councillor Chamberlist and seconded by Councillor Tanner that Bill No. 36 be reported out of Committee without amendments. Are you prepared for the question.

Mr. Stutter: Mr. Chairman, just a small point, but are we not putting the cart before the horse, I know it is inevitable that this one passes, but surely this one hinges on the passage of Bill No. 35.

Mr. Chamberlist: The thing is, Mr. Chairman with respect, that it goes out of Committee, it doesn't have to be called for third reading until all the Bills are called for third reading, but the point is that it is out of Committee and I don't think there would be any objections to that.

Mr. Chairman: Are we agreed? Are you prepared for the question? Are you agreed? I declare the motion carried.

NOTION CARRIED

BILL # 37

Mr. Chairman: This Bill is Bill No. 37, the Third Appropriation Ordinance, 1973/74.

Mr. Chamberlist: I would like it to be noted, Mr. Chairman, that the purpose of this Bill is to appropriate \$35,000.00.

Mr. Chairman: (Reads sections 1 through to 3(1))
Mr. Fingland, would you like to comment on Schedule "A"?

Mr. Fingland: Mr. Chairman, I have nothing to add. This Ordinance is simply to provide the funds that will be required for approximately six months of this fiscal year.

Mr. Chairman: Page 7 is the breakdown on this item. Are there any further questions in relations to Bill No. 37?

Mr. Tanner: Could you read the preamble now, Mr. Chairman?

Mr. Chairman: If there are no further questions, I will read the preamble. (Reads preamble of Bill No. 37.)

Mr. Chamberlist: Mr. Chairman, I would move that Bill No. 37 be reported out of Committee without amendments.

Mr. Tanner: I'll second it.

Mr. Chairman: It has been moved by Councillor Chamberlist, seconded by Councillor Tanner that Bill No. 37 be reported out of Committee without amendments. Are you prepared for the question? Are you agreed? I declare the motion carried.

NOTION CARRIED

I was wondering if the witnesses might be excused at this time. I would like to thank the witnesses for their attendance in this matter and I hope they will come back with the necessary amendments that the Committee has requested. Thank you.

Page 39
Wednesday, July 25, 1973
7:40 P.M.

Mr. Chairman: What is your further question?

Mr. Tanner: Mr. Chairman, can we have a five minute adjournment please?

Mr. Chamberlist: Mr. Chairman, we have Motion No. 1 to deal with and because the motion in itself is of such nature that it will be one that will be discussed at very great length. The function, as can be seen, is written in such a manner so that all Members will have the opportunity to discuss at some length all those areas leading up to the appointment of the administrator for the City of Whitehorse by the Commissioner and I spent some time wording it in that manner for the simple reason that I think all Members of Committee should have the opportunity to completely understand all aspects dealing with the subject matter itself. I think it is necessary, Mr. Chairman, that the opportunity to each and everyone of us is given to expand as much as possible. I would ask Mr. Chairman, that in view of this, that we not proceed today and have Mr. Speaker now resume the Chair.

Mr. McKinnon: You're lucky that you said that last thing. Ok.

Mr. Chairman: Do I take it that Member proposes a motion that Mr. Speaker do now resume the Chair?

Mr. Chamberlist: That is the motion, Mr. Chairman, thank you.

Mr. Chairman: It has been moved by Councillor Chamberlist, seconded by Councillor Stutter that Mr. Speaker now resume the Chair. Are you agreed?

Some Honourable Members: Agreed.

Mr. Speaker: The House will now come to order. May we have a report from the Chairman of Committee?

Mr. Taylor: Mr. Speaker, Committee convened at 2:30 p.m. discuss public Bills. Mr. Fingland, Miss Wasylynychk, Mr. H. J. Taylor and Mr. Hough attended Committee to discuss Bill No. 35. Committee recessed at 5:00 p.m. and reconvened at 7:05 this evening. I can report progress on Bill No. 35. It was moved by Councillor Chamberlist and seconded by Councillor Tanner that Bill No. 36 be reported out of Committee without amendment and this motion carried. It was then moved by Councillor Tanner that Bill No. 37 be reported out of Committee without amendment and this motion carried. It was then moved by Councillor Chamberlist and seconded by Councillor Stutter that Mr. Speaker now resume the Chair and this motion carried.

Mr. Speaker: You've heard the report of Chairman of the Committee. Agreed?

Mr. Speaker: May I have your further pleasure?

Mr. Taylor: Mr. Speaker, in respect of the agenda, I believe it is the intention of the Committee tomorrow to discuss Public Bills and Motions.

Mr. Speaker: May I have your further pleasure?

Mr. Stutter: Mr. Speaker, I move it that we now call it 9 o'clock.

Mr. Speaker: It has been moved by the Honourable Member for Dawson and seconded by the Honourable Member for Whitehorse North that we now call it 9 o'clock. Are you prepared for the questions? Agreed?

Mr. Speaker: I declare the motion carried.

NOTION CARRIED

Mr. Speaker: This House now stands adjourned until 2:00 p.m. tomorrow afternoon.

ADJOURNED

Mr. Speaker reads the daily prayer.

Mr. Speaker: Madame Clerk is there a quorum present?

Madame Clerk: There is, Mr. Speaker.

Mr. Speaker: The House will now come to order. Are there any Correspondence and Documents to be tabled?

TABLING OF LEGISLATIVE RETURN #5

Mr. Chamberlist: Yes, Mr. Speaker, I have for tabling this morning Legislative Return No. 5.

Mr. Speaker: Are there any Reports of Committees? Are there any Bills to be introduced? Are there any Notices of Motion or Resolution?

Mr. Tanner: Yes, Mr. Speaker, I have Notice of Motion concerning the Liquor Ordinance.

Mr. Taylor: Mr. Speaker, I would like to give Notice of Motion respecting the Council of the Yukon Territory.

Mr. Chamberlist: Mr. Speaker, I have Notice of Motion that Sessional Papers Nos. 1, 2 and 3 be moved into Committee of the Whole for discussion.

Mr. Speaker: Are there any further Notices of Motion? Are there any Notices of Motion for the Production of Papers? As there are no Motions for the Production of Papers we come to Motion No. 2.

MOTION #2

Mr. Speaker: It has been moved by Councillor Chamberlist, seconded by Councillor Watson, that this House has confidence in the Executive Committee concept. Are you prepared to proceed with this motion at this time?

Mr. Chamberlist: Yes, Mr. Speaker, I'm prepared to proceed with the motion and if a Member would move it into the House--into Committee of the Whole for discussion.

Mr. Tanner: Mr. Speaker, I'll move it into Committee of the Whole.

Mr. Speaker: It has been moved by the Honourable Member for Whitehorse North, seconded by ...

Mr. Stutter: Seconded by Councillor Stutter.

Mr. Speaker: It has been moved by the Honourable Member for Whitehorse North, seconded by the Honourable Member for Dawson, that Motion No. 2 be moved into Committee of the Whole. Are you prepared for the question? Agreed? I declare the motion carried.

MOTION CARRIED

MOTION #3

Mr. Speaker: Motion No. 3. It has been moved by Councillor Watson, seconded by Councillor Chamberlist, that in the opinion of this House it is in the best interests of the Territory that this Twenty-Second Wholly Elective Council shall continue in office until it has completed its full term. Are you prepared to proceed with this motion at this time?

Mrs. Watson: Yes, Mr. Speaker, I'm prepared to proceed with this motion at this time. I would prefer to have the motion put into Committee of the Whole for discussion.

Mr. Taylor: Mr. Speaker, on a point of privilege. I rise to point out to your Honour that the motion is quite out of order. The motion offends the rules of the House and other Ordinances of the house. I would draw to your Honours

attention that the Yukon Act section 9 provides that every Council should continue for four years, for this would seem a multiplicity of that which is decreed by a Federal statute. I would draw your Honours attention to annotation 191 in Beausiesne providing -- it provides that no motion should be made in the negative form for the very good reason that the House cannot decide not to do what it is not doing. I would submit, your Honour, that why then should a motion be permitted in this House to provide for something which we are already doing. I would further, your Honour, draw your attention to the fact that the motion concerned here, was a motion to blockade a motion which publicly was suggested would be brought up at this section. In our rules we have the anticipation rule. I would respectfully submit, Mr. Speaker, that this may be found in annotation 131, Beausiesne, that this motion offends the anticipation rule. I would further bring to the attention of your Honour that the motion offends annotation 105, subsection (3) respecting privileges of the House. Inasmuch as it would have the effect of cancelling the Members right to resign from this Council. This also affects section 11 of the Yukon Territorial Elections Ordinance. It is a matter of very grave privilege, when such motions affect the House as a whole. Further, Mr. Speaker, I would like to point out to your Honour, that this motion abrogates the rights of Members either individually or collectively, to pass or propose I should say motions of nonconfidence in this House as a whole. I would submit, therefore, your Worship, there are other reasons I just haven't had time to do all the research necessary, but I would most assuredly say, your Honour, that this motion is quite out of order and I would ask for your ruling in this regard.

Mr. Chamberlist: Mr. Speaker, speaking from the point that has been raised by the Honourable Member, the ruling has already been made from the Chair and the motion has been placed on the Order Paper for today. Mr. Speaker, the reference to section 9 of the Yukon Act certainly was not completed by the Honourable Member. The Honourable Member has made no clear definition of the subsection 2 of section 9 which reads as follows, "Every Council shall continue for four years from the date of return of the writs of the general election and no longer, but the Governor in Council may at any time, after consultation with the Council where he deems such consultation to be practicable, etc." I would suggest, Mr. Speaker, that the reason for the motion that is being put forward by the Honourable Member for Carmacks-Kluane is simply this: In view of the danger of the Council, itself, being dissolved without necessarily having the approval of the Governor in Council there has been a request made by way of motion to the Committee of the Whole that it complete its term. The suggestion that has been made to reference annotation 191 has certainly been misdirected, your Honour. It has been misdirected in this manner, that it is not in legislative form when indeed we are in Council at this time and have not completed our four year term. Therefore, we are just simply asking for the confidence in the House that the four years be completed. The other reference that has been made by the Honourable Member, I say with the utmost respect, has been somewhat of a garbage nature. Thank you, Mr. Speaker.

Mr. McKinnon: Mr. Speaker, if I may just have a few comments on the question of privilege raised by the Honourable Member for Watson Lake, I don't intend to get into any kind of a detailed constitutional battle or any other type of technical battle on the admissibility of this motion, except for me to say, Mr. Speaker, that I feel it is stringent upon the rights of the House in certain areas, and I think, that if this motion was worded differently I would have no trouble with it. I don't have any problem with the one side trying to out maneuver the other, or anything of that nature, it just seems to me that if this motion is voted upon, then the House is bound by its rule not to do anything to vote a motion of no confidence in the House for the remainder of this House. There are, of course, all examples of British Parliamentary traditions where you cannot bind the rights of Members in that manner. There is no way that a motion of this House can bind the rights of the Members to be able to vote on any subject at any time in the future during the life of this Council and be able to dissolve

the Council, to be able to expell a Member to be able to do any of these things, if two or three of the Members following this motion passage were found to be engaged in the most nefarious of fields, had taken hundreds of thousands of dollars from the taxpayers under the table, this House by motion could not ask the House to be dissolved and a new election to be called because we have stated that we are going to continue this Council for the life of this House. It seems impossible to me, Mr. Speaker, to see how such a motion could bind all Members of this House, for the length and term of this House. I cannot accept it because it would remove my right as a Member to be able to have a vote depending on the circumstances at any given situation, it would tie my hand. There is no way that I can allow that to happen, but in that manner, I think the motion is out of order. If it was a straight motion calling for confidence or no confidence, I would have no trouble with it at all. But it says, this Council shall continue in office until it has completed its full term. Mr. Speaker, with respect, that ties the hands of every Member here and it terminates the right of the Members of this House, therefore, the motion isn't proper and it should not be allowed to continue in its present form.

Mr. Tanner: Mr. Speaker, speaking to the point of privilege. If the mover and the seconder of the motion would be prepared to withdraw that motion, and if the House would give unanimous consent to Councillor Taylor to put his motion, I think, we should go that route and solve this problem very quickly without getting into a lot of procedural debate.

Mr. Chamberlist: Speaking to the point of privilege again, Mr. Speaker, I think what the Honourable Member for Whitehorse North has said would be and could be a method of doing this particular thing, except for the fact that the motion on the Floor, is a sound and proper motion. It is obvious what it intends, but there is no reason why the motion, itself, cannot be amended. The Honourable Members that have spoken know full well, that if they wish to amend the motion to dissolve Council, they can immediately, if they wish to want this in discussion say that all the words following "that" are removed and then place their amendment afterwards. Mr. Speaker, there is a procedural motion being placed on the Floor, already, that has been moved into Committee of the Whole for discussion and I would ask that this be dealt with.

Mr. Taylor: Just one further point, your Honour, speaking to the matter of privilege that I have raised. It is not competent upon the House to amend a motion that is out of order which has not yet been adopted. This would not be possible, and the point of privilege as I related and as you will find in annotation 105 subsection (3) requires your immediate consideration of this matter in that it does affect the whole House and it is out of order, your Honour.

Mr. Chamberlist: With respect, I do not wish to go into an area of debate for too great a length of time, but the question, when dealing with a question of privilege and subsection (2) of section 105, although it calls for the decision to be made immediately by Mr. Speaker, Mr. Speaker has the prerogative to rule that he has already accepted the motion. The Notice of Motion was given and he has already accepted and the motion was tabled yesterday. Yesterday, the motion was called as whether I was prepared to proceed, the Honourable Member did not at that time make any objection and I said that it should remain on the Order Paper. I beg your pardon, that the Honourable Member for Carmacks-Kluane indicated that it would remain on the Order Paper. I would suggest, Mr. Speaker, that the motion be dealt with in the normal manner.

Mr. Speaker: I'll take the matter under advisement. We'll have a short recess.

RECESS

Mr. Speaker: I have decided that the motion is in order and so rule. My reason for doing so is because whether or not this motion is accepted by the House, it has no legal force and does not order the House to do anything, or not to do something, only the Governor-in-Council can dissolve this House. This motion merely expresses an opinion and the Governor General is not bound by that opinion. No rights of individual Members, or the House itself, are dealt with or controlled by the terms of this motion. As I have already said, I find the motion to be in order.

Mr. Stutter: Mr. Speaker, I would move that this motion be referred to the Committee of the Whole for further discussion.

Mr. Chamberlist: I second the motion.

Mr. Speaker: It has been moved by the Honourable Member from Dawson, seconded by the Honourable Member from Whitehorse East that Motion No. 3 be referred to Committee of the Whole for further discussion. Are you prepared for the question? Are you agreed? I declare the motion carried.

NOTION CARRIED

NOTION #6

Mr. Speaker: Motion No. 6. It has been moved by Councillor Tanner, seconded by Councillor Stutter, that this Council discuss the appointment of the elected members of the Executive Committee. Are you prepared to proceed with this motion at this time?

Mr. Tanner: I am, Mr. Speaker, and I don't want to speak on it very long. I just want to merely say that I personally believe in the Executive Committee concept, but the Executive Committee has been under attack both in the press and in the public and I believe that this House deserves the prerogative of reaffirming or not reaffirming those appointments and consequently I would ask some member to move this motion into Committee of the Whole.

Mr. Chamberlist: Mr. Speaker, I would move that this Motion be referred to the Committee of the Whole for further discussion.

Mrs. Watson: I second that motion.

Mr. Speaker: It has been moved by the Honourable Member from Whitehorse East, seconded by the Honourable Member from Carmacks-Kluane that Motion No. 6 be referred to Committee of the Whole for further discussion. Are you prepared for the question? Are you agreed? I declare the motion carried.

Mr. Stutter: Mr. Speaker, I wonder if I might seek your guidance at this point. Yesterday, Motion No. 5, which was my motion concerning discussion of constitutional reform, passed this House, and I would ask that the Members give permission that we discuss constitutional reform in Committee of the Whole, at which time I do have or will have a firm proposal to kick off that discussion.

Mr. Speaker: Is the House agreed? Do we have a motion?

Mr. Chamberlist: Mr. Speaker, the matter is in Committee.

Mr. Stutter: Mr. Speaker, I will have a proposal at the time of this discussion in Committee.

Mr. Speaker: We now come to the question period. Are there any questions?

Mr. Commissioner: Mr. Speaker, I have answers to some of the questions that I was unable to answer at the time, may I proceed to do that? First Mr. Speaker, the Clerk has tabled for the information of the Councillors, two

documents today, one being the advertisement as promised in regard to Councillor Taylor's question concerning the availability of land in the Ross River, Watson Lake and Carmacks subdivisions, and secondly the regulation concerning the Special Occasion Permits, as requested by Members of the Council. Councillor Tanner asked concerning Central Mortgage and Housing Corporation mortgages in Porter Creek and I can confirm that the Territorial Government has not been approached on a formal basis by either the City of Whitehorse or Central Mortgage and Housing Corporation on this matter and secondly, we would submit, Mr. Speaker, that Porter Creek now falls under the City of Whitehorse jurisdiction that if any commitments are to be made, they are the people who should be the actual makers of this commitment. Further to this, I am fully aware of the fact that the installation of sewer and water is a very costly undertaking, and I am not aware of the installation of any sewer or water here in the Yukon Territory that does not have an element of subsidization from the Federal Government or Territorial purse towards it, and it has been made quite clear to the City of Whitehorse that requests to the Senior Government for financial assistance not only in the way of loans for the City's share of these things but also in the Federal and Territorial participation in the actual capital costs, that we are quite prepared to enter into discussion with them on this, so I would, to finalize my answer to Councillor Tanner, I would strongly suggest that it be the City of Whitehorse Central Mortgage that takes the initiative toward the particular problem, if indeed it is the City's wish to have the Porter Creek subdivision service standards brought up to what Central Mortgage will require before they will finance house building in that area. There is one other outstanding question that was asked by Councillor Stutter, Mr. Speaker, and I do not have the full answer to it and I would ask that I be given the opportunity of getting a complete answer before I give it to him.

Mr. Stutter: Mr. Speaker, I have a question for the Honourable Member from Whitehorse East. Would the Honourable Member inform this House what information, if any, he has regarding constitutional reform for the Yukon, also what his views are regarding this particular subject.

QUESTION RE CONSTITUTIONAL REFORM

Mr. Chamberlist: Had the Honourable Member from Whitehorse North been able to answer this question fully, we would have to be here perhaps for a week or more. I think what I can perhaps say, Mr. Speaker, is this: Firstly, my view on constitutional reform is for the increase of Territorial Council, to the number that can operate in a Parliamentary fashion, breaking down into Committees in the various areas, it would not place too big a strain on the area of that part of Government, that is the Legislative Body of Government. Also, I want to see the day, and I have made it quite clear, when the Commissioner, that is the office of Commissioner, is one that is dispensed with completely. The time must come, and I hope it comes very soon. I think we have been fortunate in having Mr. Smith as Commissioner here. He helps to guide us into those areas of constitutional reform that are required. What I do know is this and I can say this without giving any definitive statement, that the Government of Canada has been lately well-aware of what are these aspirations of Members of this Council, and indeed the aspirations of the majority, I believe, of the people of the Yukon. I believe that there will be expansion of Council in the very near future, I hope that the Parliament of Canada will be able to deal with the necessary amendments to the Yukon Act to make those increases ready for the next Territorial Election. I hope that the Parliament of Canada will introduce into the Yukon Act legislation that would make it quite clear that the Executive Body of the Government of the Yukon are made up completely of Members of the Territorial Council. I am going into a speech area because of the nature of the question, but I can assure the Honourable Member, Mr. Speaker, that it is my hope and certainly my wish that the sooner we get constitutional reform for the Yukon, the better it is going to be for everybody concerned. I don't want to go beyond this at this time because in the debates that will be coming along in the Committee of the Whole, these various areas will be aired, and I think that at this time, I'd best shut up.

Some Honourable Members: Hear, hear.

QUESTION RE MEDICARE

Mr. Stutter: Mr. Speaker, I have another question at this time, of the Minister of Health. It has been very nearly a month or a little better than a month since we were in Dawson and I asked a question then regarding Medicare. I would like to know if he has anything further regarding the state of the Fund itself and if any plans at all have been made for a surplus in the Fund.

Mr. Chamberlist: Mr. Speaker, I can answer that there will be a surplus in the Medicare Funds Program, and I am pleased to say that this is as a result of the efficient manner in which the Plans have been operating. There are some areas of discontent in relation to the Plan itself. It is proposed that there will be some additional talks in some way brought forward, there are associations going on now and there are discussions going on between the various portions of the Administration and those people who are handling our computer arrangements in Vancouver, and once these matters have been cleared away, and the Executive Committee has had an opportunity to discuss the overall situation, the Government will be pleased to bring forward any recommendations that it will be making in regards to expansion of services.

QUESTION RE TERRITORIAL ELECTION

Mr. McKinnon: Supplementary question, Mr. Speaker. How close will that be to the next Territorial Election?

Mr. Chamberlist: I can indicate, Mr. Speaker, that the Territorial Election whether it be next month or next year, has no bearing on the efficiency of the working of the department, we are only interested in serving the people of the Yukon and not interested in becoming individual members in an individual manner.

QUESTION RE LAYD FREEZE

Mr. Taylor: Mr. Speaker, I have a question for Mr. Commissioner this afternoon. And I thank him for his reply to my question relating to the disposition of lots in five subdivisions throughout the Territory. I am somewhat concerned in viewing this information that only 31 residential lots and 9 trailer lots were indeed sold throughout the five subdivisions in the Territory. It seems to me that this is a very small amount. I am wondering if Mr. Commissioner could advise me if it is the intention of Government during the course of this summer, and more particularly during this building season, to make available more lots in the various subdivisions across the Territory, so some of these young people and other people can get building.

Mr. Commissioner: Mr. Speaker, I am not in any position to tell you whether or what is presently available for sale, or taking care of the demand that is presenting itself, I don't know. But I do think that Honourable Members know that from the spring budget we count on the installation of sewer and water in the Watson Lake area and also sewage in Haines Junction, and I think that I could report this, Mr. Speaker, that the bids on the Haines Junction sewer installation appear to be quite well within the money limitations that we have for that job and to my knowledge this will be announced very soon, the announcing of the awarding of a contract for this work. As far as Watson Lake is concerned, I think that the Members are probably aware, that on the first look at the bids, they appear to be a little on the high side compared with what we had originally estimated, but hopefully, by the time this is analyzed, it will not maybe look as bad as it does at first glance, and if we are able to go ahead with the Watson Lake installation of sewer and water, I am sure that the Honourable Member realizes that the number of residential lots in the subdivision that will be available will be substantial, because we have up until now been selling every second lot, due to the requirements of the necessary area for the field of

a sceptic tank system. So all I would like to offer to the Honourable Member, if the question is, if he can bring to our attention (with the exception of Watson Lake and Haines Junction, since they are being properly dealt with), if there are other areas in which he feels that there is a pent-up demand which we are capable of satisfying and he can bring it to our attention, I can assure you that every effort will be made to try to satisfy that need.

QUESTION RE SPECIAL OCCASION PERMITS

Mr. Taylor: Thank you Mr. Commissioner. Mr. Speaker, I have a further question, and again I would like to thank Mr. Commissioner for getting to us the new Regulations respecting the Special Occasion Permits that caused a great deal of difficulty since the spring of this year. I would just have one further question on it, and I would like to ask Mr. Commissioner if we may take it that there is no further impediment in the Ordinance or otherwise, in the Regulations of the Liquor Ordinance, against the admission of those under 19 years of age to special occasion functions.

Mr. Commissioner: Mr. Speaker, I would have to enquire of my staff in connection with that, I haven't personally studied them closely enough but I believe that that is one of the major points that was in contention, so if the Honourable Member would leave that with me, I will be very happy to answer it.

QUESTION RE LAND FREEZE

Mr. Tanner: Mr. Speaker, I have one supplementary question to Councillor Taylor's previous question. If those lots were taken up, can the Commissioner give some indications to the House as to how many lots were for sale and to how many were taken up, or were they all taken up.

Mr. Commissioner: Mr. Speaker, I can get that information. I very obviously don't have it available. I will gladly get that information.

QUESTION RE INSTALLATION OF RADIO & TELEVISION FACILITIES

Mr. Taylor: Mr. Speaker, I do have a further question I intended to ask here yesterday, that is in light of the request of many communities throughout the Yukon for radio and television facilities. This has gone on year after year sort of thing, and in spite of the many requests that we have made upon Canadian Broadcasting. I am wondering if indeed the Administration have learned of anything since the Spring Session, relating to the installation of television facilities at Teslin and the radio station which has been around Whitehorse for three years.

Mr. Commissioner: Mr. Speaker, I honestly wish that I can get some kind of answer to the Honourable Member, but would indicate there was something funny. There's no use to try to mislead you, Mr. Speaker, we are in a position of simply having to relate to you information given to us by a third party who has the control of the funds and the programming for this type of a situation, and I am sorry, I just cannot give any encouragement at all in connection with these particular burning questions I do believe that there is some kind of scheduling as far as the installation of the radio LPRT, I believe that's referred to at Ross River, but I think this too is still some time off in the future. I think as far as television is concerned, the only one that I know of that is anywhere near imminent further to those that we already have in the Mayo, Elsa, Keno area. I believe, Mr. Speaker that this is something that is about to take place practically momentarily.

Mr. Taylor: Supplementary to that, Mr. Speaker, that last question, would Mr. Commissioner think that it would add to the emphasis that we are attempting to place in the acquisition of these facilities? We would add to it if the Territorial Administration would add some pressure, as well as pressure that Council has exerted in the past.

Mr. Commissioner: Well, Mr. Speaker, I suppose if there were varying degrees of pressure, and all I can tell you is that we have exerted every means that is reasonably available to us outside of what happened out here at Ross River when the Community decided to do something on it's own. If we can only get the money transferred from the studies of that communication in the North into the application of things that will do something about communication, we would have radio and television everywhere. But I just simply say to the Honourable Member that we are exerting at every opportunity and every possible chance that we get to bring to the authority's attention the lack of particularly radio in those communities that are still left unserved and unless he personally has some ideas of sources that we should be going through that we don't know of, I have nothing further to suggest.

QUESTION RE APPOINTMENT OF CITY ADMINISTRATOR

Mr. McKinnon: Mr. Speaker, there are still a few areas that are giving me a bit of a problem, the appointment of an Administrator to the City of Whitehorse and I would like to ask Mr. Commissioner about it. It was recorded that Mr. Oliver accepted this position of Administrator for the City of Whitehorse on the morning that these five Aldermen of the City of Whitehorse resigned. I wonder, Mr. Speaker if Mr. Commissioner can tell me whether this is correct as reported or incorrect.

Mr. Tanner: Mr. Speaker, at a point of order, this is coming up for debate in Committee. I think the Member can get this question answered during the debate. I don't think it has to be answered right now by the Commissioner.

Mr. Commissioner: Mr. Speaker, I don't know where these reports come from, and if the Honourable Member can give me something that I can use to to research our file, some definitive thing, I would gladly have the matter looked into, Mr. Speaker, but in all honesty, I gave an answer yesterday to the very best of my personal knowledge. Mr. Oliver was appointed after the resignations of the City Aldermen had taken place.

Mr. McKinnon: I don't think I ask frivolous questions in the House, Mr. Speaker. The point was that I was told that a phone call was placed to Mr. Oliver in Prince Albert by the Whitehorse Star, the Monday morning before the City Aldermen resigned that same day. Mr. Oliver related to the Whitehorse Star that he had been appointed as the Administrator for the City of Whitehorse and I just asked if this is correct, Mr. Commissioner says it is incorrect, I am willing to accept his statement that this is an incorrect fact, or an incorrect report that was given to me by the publisher of the Whitehorse Star. I don't think that he is an irresponsible person either.

Mr. Chamberlist: As a point of privilege, Mr. Speaker, I would like to indicate that the Whitehorse Star, of late has not been noted to tell the truth.

Mr. Taylor: From a point of order, I would suggest that it is pretty highly improper for a Member to impeach motives or to call in search of anyone who is not in a position to fight this House.

QUESTION RE SALARY OF CITY ADMINISTRATOR

Mr. McKinnon: I accept Mr. Commissioner's word on it. I think that it was a legitimate question and one that could be asked in this House, Mr. Speaker. I see no grounds for not being able to pursue this type of question with the Commissioner, because I think it is an important subject. I would like to ask Mr. Commissioner, how much is Mr. Oliver being paid as Administrator of the City of Whitehorse?

Mr. Commissioner: Mr. Speaker, it's in the Commissioner's Order and we will get the Order circulated. I'm sorry I don't remember exactly what the figure is, but it is a legal document. We will see that copies are circulated to all. It is a public document.

Mr. McKinnon: May I ask Mr. Speaker that it be tabled?

Mr. Commissioner: Yes, Mr. Speaker.

QUESTION RE FINANCING OF BRIDGE AT WHITEHORSE

Mr. McKinnon: Mr. Speaker, I wonder if I can ask Mr. Commissioner at this moment the status of the request for the federal financing for the Bridge across the Yukon River in Whitehorse.

Mr. Commissioner: Yes, Mr. Speaker, this has been the subject now for considerable discussion between my Minister and myself. I think that Honourable Members are aware that the Territorial Government approach the City of Whitehorse and I may have the order in this not exactly correct but I think that Honourable Members will realize that I'm using my memory here, but I believe that our approach to the City was that one of two things can be done and namely that there could be repairs affected to the present bridge or that a new bridge can be built. I believe that this was the order in which it was put and the City came back and said that they would have preferred a new bridge but if there was to be any cost of the city taxpayers involved, as a consequence of this new bridge, then they were prepared to accept repairs to the old one. Now, I believe that is the answer we got. From that point on, we have been working with the Federal Government, Mr. Speaker and I am confident that there will be something in the very near future that will be the possible grounds for an agreement between the City of Whitehorse and the Federal and Territorial Government that will result in a new bridge being built. I would sincerely ask Mr. Speaker that I not be asked any further on this at this time, because the matter is before the Treasury Board at this time and as a consequence, I am rather limited in what I can say further, but that is the status of our negotiations with the Federal Government at this time.

QUESTION RE ADVISERS TO THE ADMINISTRATOR OF WHITEHORSE

Mr. McKinnon: Mr. Speaker, I wonder if Mr. Commissioner would be prepared to tell the House how many people were approached to act as Adviser for the City of Whitehorse prior to the acceptance of those five who are now acting as Advisers to the Administrator of the City of Whitehorse.

Mr. Commissioner: Mr. Speaker, I couldn't tell you exactly. The matter was handled mostly by Mr. Miller who is away from his office today and tomorrow, but certainly, when he returns, I can get this information. I just don't know how many people were approached.

QUESTION RE LOW RENTAL HOUSING PROGRAM

Mr. Taylor: Mr. Speaker, I have a question relating to the low rental housing program. In the communities that I know of, at least Teslin, Carmacks and Pelly have been awaiting houses this year, and I note some contractors wandering around the territory with pretty long faces. I am wondering if Mr. Commissioner can tell me when these houses will be contracted and whether or not it will be before the building season is over.

Mr. Commissioner: Well, Mr. Speaker, with respect, the contractors' faces were only half as long as the Executive Committees' faces when we examined the cost and the price of the bids after they came in, and every one of the contractors who bid on those projects have been notified by letter that none of the bids were accepted. We are now at the present time examining other needs of providing housing in these particular areas. The answer is in the affirmative that is, definitely the housing corporations and the Government intentions to have the housing built in the quantities already spoken of in these communities during the course of this season, but the original contracts, we just could not possibly justify the kind of money that this required to build the houses.

QUESTION RE HIGH BIDS

Mr. Taylor: Supplementary to that, Mr. Speaker, is the reason for these high bids, is this by reason of the fact that maybe our standards have been expended too high or are these done on a proposal basis?

Mr. Commissioner: Mr. Speaker, there may be a whole combination there may be a whole series of things that cause these high bids. Very obviously no contractor is going to confide in us why or what constituted the elements of his bid. Possibly our standards are a little bit high and maybe some of the things are a little bit too elaborate, maybe...well you know this could be for many things. Also material costs are higher, labour costs are higher and certainly what the end result is is that we are going to get housing somewhere close to, within the amounts of money that we have available we are going to have to use other renovative means than what we presently have. But I would hesitate to pinpoint any one item as being the total contributing factor to the price.

QUESTION RE PRIVATE PROPERTY AT KATHLEEN LAKE

Mr. McKinnon: Mr. Speaker, letters are being received by property and cottage owners on Kathleen Lake in the National Park proposing that there be set a sale price with the National Park people. Many of these people have had that property for decades and are not prepared to negotiate a price. What this is in fact is that they want to keep their private property at Kathleen Lake.

Mr. Commissioner: Mr. Speaker, this is something that is not within the confidence of the Territorial Government to handle and I would only say this, that they should be seeking legal advice or they should be dealing directly with the National Parks Branch of the Department of Indian Affairs and Northern Development. I am sorry that I just have no knowledge of how these negotiations or how these things are being dealt with Mr. Speaker, and as a consequence I would think these people should be seeking a direct means of dealing with it.

Mr. McKinnon: Mr. Speaker, would the Commissioner be prepared to use his good offices with the Department of Indian Affairs and Northern Development under which the National Parks policy is responsible and find out what is the procedure and whether these people can be expropriated from their land and property if they do not want to let the Government buy their property or whether they are able to keep their property for at least the time of their life because people are worried about their status right now, about their property and cottages, and they just don't know what the answer is.

Mr. Commissioner: I wonder if the Honourable Member would be good enough to have one of the parties that he is referring to here, perhaps they would be good enough to direct to me a copy of one of these letters and let me get a look at it and let's see where we go from there to find out the answers to the question that the Honourable Member has put to me. Without having seen something I find it very difficult to know just what to...

Mr. McKinnon: I would be happy to, Mr. Speaker, and I will see that Mr. Commissioner receives a copy of at least some of the correspondence that I have become aware of.

QUESTION RE PROLIFERATION OF HIGHWAY TRAFFIC SIGNS

Mr. McKinnon: I was wondering, Mr. Speaker if Mr. Commissioner could tell us the status of highway signs proliferating every day along the Yukon Highway - and a few on the Alaska Highway this last week, I noticed near the Municipality of Whitehorse, and whether and when the proposal of the Legislative Assembly is going to be put into effect regarding highway traffic signs.

Mr. Commissioner: Mr. Speaker, I wonder if I could bring forward a written answer to this question. I believe that progress is being made at least at our level insofar as the proposal that was agreed to by the Legislature last spring. As very obviously the people in the department

concerned are busy at the moment trying to keep the damper on 'til they are cleaned up on the tremendous research on the use that they are getting and the inspection service I am sure likewise is busy checking up on the very things that the Honourable Member is bringing to my attention. So if I could have the opportunity of bringing a written answer to that question, I would be very grateful.

QUESTION RE NATIONAL PARKS ISSUE

Mr. Taylor: Mr. Speaker, getting back to the Parks issue, some many months ago the Government of the Territory set aside certain areas within the Territory for the purposes of establishing Territorial Parks and also at the Spring Session I raised the question and I believe that I raised the question in Dawson, I am not sure, as to when the Administration would bring down a Parks Policy in relation to land organization, settlements and this type of thing, as it effects the people who are currently residing in these park areas. I was wondering if Mr. Commissioner could advise me this afternoon, Mr. Speaker, as to whether or not that policy has now been formulated and if so, would the Commissioner consent to tabling that policy with the Members of Council

Mr. Commissioner: Mr. Speaker, a very optimistic statement would be on my part that the tabling of that policy of the necessary legislation is months away. There is no one trying to mislead the Members of Council and this is something that is not readily available, it is a long, long time away. But in the meantime as I have pointed out to Members at the Session in Dawson, the fact that we have surface reservations on these areas is not effecting anyone in these areas at the present time and it is not effecting mineral prospecting because we do not have the right to stop this under the reservation that we have and it is that they are simply reservations and that is as far as they go at this time.

Mr. Taylor: A supplementary, does this not mean though in that case, people can acquire by lease rather than purchase. People can still lease land within the park area until the policy has been brought down.

Mr. Commissioner: The answer is in the negative, Mr. Speaker, but it doesn't prohibit the person who say has a mineral claim or the fine minerals showing in one of these reservations. I mean there is nothing, not even our legislation will prevent them from staking those mineral claims and an economic mineral body to work, they can go ahead and do it. Insofar as new leases in any of these reservation areas are the surface rights, the answer is no, Mr. Speaker.

QUESTION RE DISPOSAL OF BEVERAGE CONTAINERS

Mr. Stutter: Mr. Speaker, I have one last question of the Commissioner. The last fall season as a result of the Sessional Paper that was put before Council, we were informed that the Government would come forward with a proposal regarding disposal bottles, beer cans, pop bottles, etc. Could you tell us Mr. Commissioner what progress has been made on this?

Mr. Commissioner: Mr. Speaker, there has been some progress on the compilation of the experience of other provincial and city jurisdictions. It is being brought together by the Deputy Clerk of the Council at the present time and I am hopeful that before another session rolls around that there will be something here before Council but this at the present time is still months away from being in any kind of a form that we could bring to this body and hope to have anything really definitive in connection with it. But the total overall problem, I believe it was Councillor McKinnon who raised it at the time in connection with one single item. We are attempting to bring something that will be all encompassing.

Mr. Speaker: As there are no further questions, I would like to thank the Commissioner for his attendance. There are no private Bills and Orders --

Mr. Chamberlist: Mr. Speaker, it is not the intention to bring forward Bills No. 36, 37 for third reading at this time and ask for it to be left on the Order Paper.

Mr. Speaker: Do you have any further questions?

Mr. Chamberlist: Mr. Speaker, I have. I ask that Mr. Speaker do now leave the Chair and Council will resolve itself into Committee of the Whole for the purpose of discussing Bills, Sessional Papers and Motions.

Mr. Speaker: It was moved by the Honourable Member of Whitehorse East and seconded by the Honourable Member for Dawson that Mr. Speaker do now leave the Chair for the purpose of meeting in Committee of the Whole for the purpose of discussing Bills, Sessional Papers and Motions. Are you prepared for the question? Agreed?

MOTION CARRIED

Mr. Speaker: The Honourable Member from Watson Lake please take the Chair for the Committee of the whole.

Mr. Chairman: Before we proceed in Committee, it is the intention of the Chair to call a short recess in view of the proceeding in Committee with motions today proceeding through the chronological order of motions. The first one will be Motion No. 1. At this time I declare a short recess.

RECESS

MOTION NO. 1

Mr. Chairman: At this time, I will call Committee to order. The first item for consideration is Motion No. 1 deferred from Council Committee and it has been moved by Councillor Chamberlist and seconded by Councillor Watson that in the opinion of this House, the Commissioner having been notified that by reason of the resignation of five of the Aldermen of the City of Whitehorse, the City lacked a quorum to carry on its business and had no alternative to the appointing of an Administrator. Councillor Chamberlist --

Mr. Chamberlist: Mr. Chairman, I think all of us will appreciate that to bring forward quite clearly and specifically, all areas involved up to and including the appointment of the Administrator is very necessary so that Members of this Committee can clearly draw their own conclusions as to whether or not the Commissioner was properly empowered to perform the function that he did in appointing an Administrator for the City of Whitehorse. But we cannot just leave it at that particular point. We must also talk, all of us, as to the various areas of involvement that the Government of the Yukon Territory, the Territorial Council and indeed the City Council of Whitehorse, have been involved in this particular matter. I think it is necessary to go back to the commencement of this territorial election, right from the start that this Territorial Council first had its Session in November, 1970 and in bringing forward the submissions that I will have to support the contention that has been made in this motion. I will be dealing with the Municipal Ordinance and all its facets and discussions at the time the Municipal Ordinance was discussed at Council, by-laws of the City of Whitehorse, the Hobbs' Report, legal actions by the City and the Government of the Yukon Territory, the power structure involved and the association of those people who have been involved in the attacks upon the Government in its function of governing. I would say this, that it is a fundamental principle of municipal law. In Canada, the municipal corporations receive their power by way of statutory grants and that's the only authority. The municipal action is, therefore, the legislature itself and I am speaking of this legislature. And it can only be done through the various enactments of this legislature, dealing with local government affairs and, of course, mainly in our particular situation now, the piece of statutory legislation that we know of as a Municipal Ordinance and it has been declared that the statutory powers and the exercise of those statutory powers should be confined strictly within the limits of their authority. And all attempts on the path of those people, Municipal Council to exceed those powers should be firmly withheld by the court. Ruling after ruling has been made, going back to the year 1871, I have been able to trace them back. Since that time, there has been anywhere up to 200 that I have already traced back where the same philosophy has been pronounced by court in every part of

Canada and indeed in other countries that have municipal institutions. I will say this, that in the discussions of the Municipal Ordinance when we ask the Mayor of the City of Whitehorse and the Mayor, I believe, of Faro and Dawson to attend and when they attended, the records will show that at the time they attended as witnesses, there were almost 90 pages of discussions taking place in this House. The pages are: from page 516 to 607 of Volume II of the First Session of 1972. During those discussions in Committee of the Whole when the Mayor of the City of Whitehorse was here, the Honourable Member for Whitehorse West, who has been very vociferous in his attacks upon the Executive Committee in relation to the matter of resignation and the appointment of the Administrator to the City of Whitehorse, did not ask the said Mayor of the City of Whitehorse more than 7 questions when dealing with the specific section, section 81 which has the clauses dealing with the disqualification of Members of Council who had acted incorrectly. The then Mayor of Whitehorse, first of all, Mr. Chairman, who was dealing quite properly section by section, and asking for any comments from the witnesses as we went through those sections, came to section 80 and this is how it reads, Page 540 of the proceedings. "Mr. Chairman: 80. Mr. Wybrew: No comment. Mr. Chairman: 81. Mayor Wybrew: I have a comment Mr. Chairman. Unfortunately I could not get the authority to refer back to it afterwards. I didn't bring my notes. After lunch if we are going to meet after lunch, I don't know." Mr. Chairman quite properly replied, "Any time you have anything relevant to any section, don't hesitate to bring it to the attention of the Chair". And then Mr. Chairman went on to section 82. Then we came to another area relating to the situation now, and Mr. Wybrew then said, "All that is being done is, legislation is being provided so that if the time comes that we have to use it, because the municipality didn't conduct ...". I beg your pardon, this is my quote here. I beg your pardon. "All that is being done is, legislation is being provided so that if the time comes that we have to use it, because the municipalities didn't conduct themselves properly, it's in there, but for no other purpose at all." Now, Wybrew: "Then we cannot do anything that is not in this Ordinance?" "No, you can't". There is one specific area that I want to point out now. In that same discussion, in Volume I of the Votes & Proceedings of the First Session, on page 234, Mrs. Watson spoke in this manner: "Mr. Chairman, the necessity of having an Administrator doesn't just go on financial difficulties. There might be an occasion where your City Council resigns, the Municipal Council, as a unit; then it would be necessary to have someone to carry on the continuity of the government of the municipality until we go through the machinery to elect a new City Council. So, there are two areas." Mr. Chairman, there were questions about the government getting the benefits of education taxes, but it was pointed out that there were no education taxes paid back. Because the discussions had gotten a little rough, it was pointed out that the penalties and interest remained as part of the City of Whitehorse revenue. Now, we come to the section of 155, which deals with the Administrator. Mr. Commissioner was asked to give his opinion on where the Administrator would be used, and Mr. Commissioner says this: "I would point out ...", and this again is Volume 2 of the Votes and Proceedings, on page 598. Mr. Commissioner spoke as follows: "I would point out to Honourable Members that we have had, I believe, three separate situations that have arisen in the course of the last two or three years in which the present wording of the Municipal Ordinance was to the detriment of the municipality involved. I believe that two of these occasions were in conjunction with the City of Dawson's affairs when, by virtue of certain resignations, and the resultant absence of another member of the Council, we then required the resignation of the other members of the Council before we could put an Administrator into it." Another instance, Mr. Chairman, was when the Village of Faro was in its formative stages, where we really did not have any authority to put an Administrator there until such time as the municipality became an entity as a consequence of an election, and I am sure that Mayor Wybrew will remember that particular time. He went on to complete his submission there by saying: "While I would tend to agree that the formal wording might look more acceptable on paper, in actual effect it has not proven to do precisely what it was intended to. For that reason, the wording has been

changed." This was to allow for an Administrator to be put in under certain circumstances, and certainly one of the circumstances involved was the circumstance the government was faced with at the time of the resignation of the City Aldermen. I further said, when I stood up at that time, "What we're trying to do is widen the powers so that any circumstance that comes up, where it is really necessary for an Administrator to go in, then the Administrator would be allowed to go in. I don't think there is any other reason." I am reading, Mr. Chairman, from these various sections because I want to bring it forward in the minds of Members that the actions taken by the Commissioner are those actions that are taken in conformity with the legislation that was placed and passed by the majority of the Members of this Council. The Honourable Member from Whitehorse North made a very, very telling point here. He said: "Mr. Chairman, I would point out to the Mayor of Whitehorse that if the circumstances were such that are warranted here, it would be an extremely grave decision that would have to be made on the part of the Commissioner or the government. I am sure, to make that decision, it would be a very delicate one, and it wouldn't be taken very lightly at all. There is no way that this government could usurp the functions of the City. It is merely there for an extreme case, the way I look at it." Mr. Chairman, the extreme case was fairly obvious. Mr. Chairman, there was some suggestion that the Board of Inquiry did something that should not have happened. I would like to quote, Mr. Chairman, on page 601, Mayor Wybrew: "I am not arguing this at all. The feeling of the Council is that a Board of Inquiry is not necessary. That is all." He later went on to say: "After examining it, the Board of Inquiries may be a benefit to the City." On page 602, he quite clearly said this, and this is Mayor Wybrew: "There are two points, Mr. Chairman ...", and there is only the one point I will be making here, "Point one: I would like to clear up and get everybody to understand that the City of Whitehorse Council is not against a Board of Inquiry." This is when we were dealing with that particular section. During the discussions and the questions on the different sections, the questions and answers relating to Mr. Wybrew dealing with it section by section, when it came back in the afternoon, and Mr. Chairman proceeded again, for the second time, to go back over the sections, he came to Section 77, and, Mr. Chairman, I think I lost my page on that ... he came to Section 77 and I will provide the Members of Committee with the page number later. Then, Mr. Wybrew said: "No comment." Then, Mr. Chairman read all of the numbers from 77 to 85. There was nothing said about 81 by Mr. Wybrew or any Honourable Member during the time that the former mayor was here. Now, I point this out at this time because I want to first indicate that there was no objection raised during that particular time by the mayor to Section 81; there was no objection made by the mayor to Section 155, and from what I have judged, he did not come back again after he said he would and raise this particular point. Perhaps the Honourable Member from Watson Lake appears by his actions that I have missed it, if he brings it to my attention, I might be able to look at it again. Certainly, Mr. McKinnon did not at any time question the mayor at that time. He makes some comments at other times, but when the witness was there, he did not question him. Mr. Chairman, I would ask this question of Mr. Chairman. By the rules of Committee, we're only allowed to speak forty minutes, and I was wondering whether Mr. Chairman might ask the Honourable Member whether or not we can continue with the submission or continue right after the forty minutes to allow another Member to speak. I wonder if Mr. Chairman could rule on that.

Mr. Chairman: This is a question for a decision by the Committee. Is it the wish of Committee that Councillor Chamberlist proceed?

Some Members: Agreed.

Mr. Chairman: Proceed.

Mr. Chamberlist: Thank you. I am going to break off at this time because I think that the opportunity should be given to some Members to make their comments. It appears, from the work I have on hand, that this might be a pretty long discussion in the House, the Committee itself, so I will sit at this time.

Mr. Chairman: Councillor Watson.

Mr. Chamberlist: She doesn't have to speak at this time.

Mrs. Watson: Mr. Chairman, I am quite prepared to speak, but if any other Member of Council would like to present their views at this time, this is fine.

Mr. Chairman: The mover and seconder of the motion have spoken.

Mr. Stutter: I would, with respect, Mr. Chairman, like to hear Councillor Chamberlist out when he's ready because my comments will entirely depend upon the rest of his comments. I think he has only just begun; he's just begun covering the points that he mentioned at the beginning of his address that he would be covering. I, for one, want to hear him out, whether we have to break for a while or not. I would like to hear him out before I make my comments.

Mr. Chamberlist: I understand now, from hearing this ... I was waiting to know what would be the attitude of Councillor McKinnon, and Councillor McKinnon has called for the question. Of course, he wants to shut us up, and he knows lots of reasons why he wants to do it. I will stand to the Honourable Member from Carmacks-Kluane.

Mr. McKinnon: I'll take any opportunity I can to keep the Honourable Member quiet, Mr. Chairman.

Mrs. Watson: Mr. Chairman, if nobody else wants to proceed, I have devoted some time to this in preparation, and I would like your forbearance with me as I refer to my notes. I feel I have to be very exact and I want to rely on the facts within my notes. I feel quite strongly that as your representative, the Councillor from Whitehorse East and myself should explain our involvement and our position in regard to this so-called confrontation between the City and the Territorial Government. I want to attempt to explain to you why we have had to take the position that we have. You all know that there are two sides to every issue, and I must admit the Territorial Government is not very proficient at explaining its position at any time. The news media, with the exception of one newspaper, have made no effort whatsoever, throughout this whole difference, to analyse in an objective way any of the actions taken, or even the real issues that were at stake for the benefit of the public. I feel that too much valuable time has been devoted to this so-called confrontation and nothing has been accomplished in the City or in the Territory. I feel that this has to stop, and I admit that I admired the five City Aldermen when they resigned their positions, and by so doing, virtually brought the whole mess to a head. I would like to say here that I do not support in any way the public statements which they released when they resigned because I believe the statements contained some very derogatory statements about the Executive Committee and it also contained some very serious factual errors. However, their statement was understandable. It was a rationalization. Their pride had been hurt and their integrity questioned, and they were going to make sure that somebody else was hurt equally as much. Who was an easier person to criticize in the Territory today but the Executive Committee, particularly the two of us elected people, and this was what they did. I must say that in their statement, they did a very thorough job. From the beginning of this whole situation, I could not believe that these five, public-spirited, conscientious citizens of the City of Whitehorse would deliberately set out to deceive the taxpayers they represented, and to contravene the laws of this Territory. Personally, I just could not accept this, and I have done a lot of research and a lot of talking and a lot of listening. Now, I believe that my first suspicions were correct. These men were duped. Just as you Honourable Members, with the possible exception of one, around this table were duped, just as the public has been duped. These five Aldermen were used by some very unscrupulous members of this community to attain their own personal gains and their own personal powers. The Aldermen know this now, and I am sure that they will agree with my statements. I would like to take this opportunity to supply to the House the true history of the dealings of the City of Whitehorse concerning the

purchase of those five lots; the true history. I shall attempt to explain, in chronological order, the true events as it happened. The City Manager, in a report presented at the Hobbs Inquiry, told how the manner regarding the purchase of the five lots was first mentioned in City Council on the 11th of April, 1972, at a private meeting. I understand now, however, that in fact the first discussions took place in January of 1972 at a private meeting and the topic was brought up by the Mayor himself. This fact has never been disclosed before. The first officially recorded discussion on April 11th, 1972, led to a further discussion on April 24th, 1972, and a resolution on May 6th, authorizing the City Manager to negotiate the purchase of the lots to a maximum of \$150,000. As I understand, and as Mr. Hobbs has found, the resolution only authorized a negotiation, not a purchase, however, that is not relevant at this time. It is also important to remember that although the City Council was invited to do so, none of the members saw fit to give any evidence at the Hobbs Inquiry, and to put forward their own point of view of what actually happened. Mr. Nielsen, who was their counsel, informed Mr. Hobbs that he had expressly advised the Councillors not to give evidence, although several of the Councillors were extremely anxious to do so. If they had been permitted by Mr. Nielsen to give evidence, the results of the Hobbs Inquiry would have been very different, and the necessity to go to the courts to have a very important legal question answered probably would have been eliminated. We have been informed that at the key meeting, the meeting when Resolution C163 was passed, the City Manager and the Mayor were very closely questioned by the rest of the Aldermen whether they were able to actually give authority to the negotiation, much less the purchase, by simple resolution. It was Alderman Hunter who was very concerned about the legal capabilities given to the City by passing a resolution to expend this type of money. In reply to the questions from Alderman Hunter, Mr. Wybrew and Mr. Byron said that the terms of the resolution would enable legal purchase in accordance with the Ordinance, they firmly assured the rest of the Council that this was the legal position. This was the advice the Aldermen got and they had every right to feel they could rely on this. Notwithstanding this, Mr. Byron, acting, as he told the Hobbs Inquiry, under the legal advice of Nielsen, Hudson & Anton and without any further instruction from City Council signed a legal contract prepared by that firm of lawyers to purchase a lot. Mr. Byron signed the legal contract. The signature of the City Manager, Mr. Byron, under the seal of the City of Whitehorse is unenforceable against the City of Whitehorse and therefore, the Purchase Agreement of the 30th day of June, 1972 between the City of Whitehorse and Mainsteel Developments is an unenforceable contract and the City of Whitehorse should now consider what action needs to be taken to correct this development. The signing officers for Mainsteel Developments were Mr. John Dumas and his partner at that time, Mr. Eric Winnecke. One wonders however, who the true associates were at the time of the purchase of these lots. For example, back in June, 1970 a company known as Yukon Investment Ltd. was formed and the two subscribing shareholders were John F. Dumas and Ralph Hudson. I make no point concerning Mr. Hudson's shareholding. It is not uncommon for a lawyer who formed the company for a client to hold a nominal share in that company. It does, however, make an association between the firm of Nielson, Hudson and Anton and Mr. Dumas. I do, however, make a point that Mr. Nielson was elected a director of that company in August of 1970. I also make a further point that Mr. Nielson held that directorship until the time of the Hobbs Enquiry in 1973 when he ceased to be a director. This association discloses that throughout the period of the purchase of the lots and the advice given by Mr. Nielson to the City of Whitehorse, there was a very close business association between Mr. Nielson and Mr. Dumas and Mr. Nielson appears to be acting as a legal adviser to both parties at the same time. The next item of very great importance was a presentation in September by the City Manager to the City Council of a list of accounts payable. This is a routine procedure and is required in order that the City Council can authorize the signing of the cheques to pay the account. However, in September when this particular list of accounts payable was presented to City Council, the Aldermen naturally questioned the accounts that were presented. In the course of the questioning and the discussions that ensued, it became quite

apparent to the Aldermen that while the accounts pretended to be payable, in fact, one of the accounts had already been paid. The account that was paid was the part payment for the five lots purchased from Mainsteel in the amount of \$122,000.00. The Mayor had seen fit to sign a cheque on behalf of the City of Whitehorse for the sum of \$122,000.00 without the authorization from the City Council and that cheque had been delivered to the City's legal adviser for the purchase of five lots. Honourable Members, \$122,000.00 had been released by the City Manager and the Mayor without the Council's authorization to the vendor some thirty days before the title was actually cleared on the land. And eleven days later, the City Council authorized that payment-forty-one days after. It came out, however, that the purpose of the early payment was to enable Mr. Dumas to pay off certain creditors who might have interfered with the sale of the property and it has been suggested to me that during this transaction while Lueck Pitseel & Cable were officially acting for Mainsteel Ltd., the City's legal adviser, Mr. Nielson was also acting for Mr. Dumas personally and his other associated companies. If this is indeed true, it discloses a most reprehensible series of events and on top of all of this, I am advised that the fee that was charged for work performed in the transaction of the City, City's legal adviser for the purchase of those five lots was \$650.00. I would like to emphasize at this point, that I feel very sincerely, that the Aldermen themselves were doing the best that they could and I think that they were entitled to consider that they could rely on the advice given to them by Mayor Wybrew, City Manager Byron and the City's legal adviser that the transaction was a lawful one, within the City's power and that they had the power to deal with the matter by a simple resolution without a by-law. This is what their adviser assured them they could do. I think, however, that the discovery that Mayor had signed the cheque for so large an amount and had handed it over secretly should have put them on their guard from that time on. It is quite understandable though that being assured in person by their solicitor and by their Mayor that the money that was paid was a simple mistake to be rectified by a resolution passing the account. I think this convinced them to backing up the Mayor and virtually concealing the true situation from the public. By a resolution, in September, they had adopted the July account. It seems to me, too, that the Aldermen were extremely lucky that the transaction did not turn out worse than it did. The inept handling of the affair could have well resulted in Mainsteel being able to repossess the property without having to repay the money it had obtained. Or the Aldermen personally having to pay off any amount of the mortgages on the property in order to clear the title. In the press release that I have referred to before, made by the Aldermen when they resigned, a most extraordinary state of affairs was disclosed. The Aldermen were actually led to believe that resolutions of the City Council are required to be forwarded to the Commissioner of the Yukon Territory for his approval before they become effective. This is not the law and every Honourable Member knows it and it has never been the law. As a matter of routine, every one or two months the municipalities forward a collection of minutes and resolutions without any comments. It is done by all the municipalities. There are a few areas where by-laws are required which must be submitted for approval prior to third reading and this is done by separate correspondence in each case. Such subjects include sewage or water works, establishment of park areas and other public unusual expenditures. I think that the Honourable Members here will remember the section dealing with money by-laws when we were discussing the Municipal Ordinance. The sections in the old Municipal Ordinance were very restrictive. Before so much as a dollar could be borrowed, a by-law had to be approved by two-thirds majority of the taxpayers. That was in the old Ordinance and I think you remember, most of you around here are familiar with the occasion during a previous City Council when Mayor Wybrew submitted a by-law, a money by-law, for approval by the taxpayers of Whitehorse for the purchase of certain equipment which the City proposed to purchase, the by-law required the assent of two-thirds of the citizens but the by-law was defeated in the plebesite. Notwithstanding the defeat, it subsequently was ascertained that the Mayor personally entered into a contract with a firm to buy the equipment, using the form of lease which enabled him to lease it for a

period and then to buy it for a dollar and the interest paid on this deal was 14%. The City Council, at the time of the preparation of our new Ordinance, suggested that the restrictions in the old Ordinance were harsh, and so they were and they urged us so that we could make it easier then for them to borrow money for capital without the necessity of getting the assent of two-thirds of the taxpayers. We agreed to the request and in the new Ordinance provided that where the approval of the Commissioner was given, no plebesite would be required. And if a plebesite was in fact taken, the majority would reduce from a two-thirds majority to just a simple majority. At that time, when we changed the legislation, we assumed and I think everyone of you assumed that the restrictions would be honoured and the City would comply with the new law. I will continue for the next five minutes and take a break. Honourable Members will recall also that the new Municipal Aid Ordinance which came into force on the same day as our new Municipal Ordinance, removed all the restrictions on the expenditure on the monies granted to the City by the Territory. Under the former arrangement, each grant was restricted to expenditure on a specific item such as sidewalks, lights, drainage, or any other public works. Prior to 1972, the City had chafed under these restrictions and it was quite understandable because they claimed they were being harassed by the Territorial officials who were supervising the expenditures. When for example a grant was given for sidewalks and they didn't use all the money for sidewalks, they couldn't understand why they couldn't divert those funds and use them for another purpose. But by the grant system they weren't allowed to do that. At the request of the City, so it was because the City was chafing under these restrictions of the old one, that the Municipal Aid Ordinance provided for the transfer of very large blocks of money to which no strings were attached and the City were given legal permission to spend the money in any way they saw fit, provided, there is one proviso that they would, at the commencement of the year, identify the expenditure in a publicly declared budget to be sent to the Territory, to be disclosed to the taxpayers in advance. In addition to the grants that had been given in previous years, additional sums were made available and after negotiations, the Territorial and Federal Governments agreed to give the City grants in lieu of taxes which had not been done before. Honourable Members, I am not aware of one other municipality in the whole of Canada, no matter what part, which is given money on this scale to expend in so unrestricted a fashion in providing this money, on such generous terms, I am sure it was the Government's intention to remove what had put forward as a main cause of contention between the City and the Territory. We thought that by committing the City to expend the funds in any way that they wished, they could be more responsible and at least observe the sole tradition laid down, of preparation of a proper budget at the expenditure of money only in accordance with that published budget. How wrong we were. While the Ordinance itself was under discussion in this House, the Ordinance was assented to in March of 1972, we were discussing it in this House in February. Talks were already taking place behind closed doors in City Hall regarding the purchase of those five lots and at the same time in the same City Hall, the budget was being prepared. The budget was delivered on May 9th and the resolution C-163 giving authority to negotiate the purchase was passed on May 6th and the budget which was submitted to the Territorial Government did not include the expenditure for these lots. And you cannot say that they were not aware of the fact that the discussions were taking place at that time for the purchase of five lots. The budget was being prepared at that time and the Municipal Ordinance was being discussed at that time or had been discussed and yet there was no item in that budget regarding those five lots. And, as the Mayor tells us now, the land was purchased as an investment, like a deposit in the bank. It was not a capital item at all. This indeed was also the evidence of the City Treasurer, who in accordance with his instructions, recorded the item as an advance. I might pause here and suggest to the House, that if indeed this was true, Mayor Wybrew and his Treasurer and the City Manager suggested it was a more investment, a bank deposit, why have they twisted and turned and made innumerable press releases and excuses for the purchase of those lots. They have not ever declared that as a reason in public.

Mr. Stutter: You stated in your address that the City had received its advice from the City advisers by a passage of a resolution that they could cover up the mistake they had made in the initial purchase of those lots. Was it not true that Mr. Bilawich, in fact, wrote to the City giving them this advice?

Mr. Chamberlist: I wonder, Mr. Chairman, with respect if the Honourable Member would allow the submission to be made and then we could answer the questions otherwise it would take away from the train of thought the Honourable Member has been permitted in this particular instance.

Mr. Chairman: The Honourable Member's time has expired. Is it her wish to proceed? Councillor Watson?

Mr. Stutter: I agree to hold my question off, Mr. Chairman, as long as either the Speaker will answer that question at a later date or allow to ask any question.

Mr. McKinnon: I am not prepared to let anyone speak until I could have one question answered from the Honourable Member of Whitehorse East and one question from the Honourable Member of Kluane and that question is this. They are fully aware of the immunity of the statements that they make in this House that they have of any prosecution being charged against them. Probably one of the most responsible things that a member of any legislature has to realize is that he is elected as a member, that he can make charges and he can make accusations and he is immune as long as he makes the statements in the House. I was wondering, Mr. Chairman, whether I could ask both the Honourable Members whether to show the courage of their convictions in these statements, which are very detailed and are very well prepared and the charges that they are making. Are they prepared to release these statements outside of the immunity of this House, Mr. Chairman?

Mr. Chamberlist: Well, I will speak for myself, Mr. Chairman. I have had the Honourable Member make statements in this House which he wouldn't dare to make outside but I will say this, that anything that I say, I will be prepared to say what I have said in this House because I deal with facts. I do not deal in any other manner.

Mr. McKinnon: Thank you very much, Mr. Chairman, I don't think that the people of the Yukon have found me to be chicken in saying what I think outside the House. I wonder if the Honourable Member from Kluane and Carmacks would also be prepared to make a statement like that.

Mrs. Watson: Mr. Chairman, if you are referring to facts that I have stated very specific dates and facts, yes but you will notice some of my statements are - I am summing up my thoughts on information which I have received and because of the integrity, my integrity to the source of information, I don't think I would be able to do this.

Mr. McKinnon: It is my understanding, Mr. Chairman, that the hypothetical conclusions that the Honourable Member is reaching in some instances that she is not prepared to make these hypothesis outside the immunity of this House?

Mr. Chamberlist: I think that's the most improper question to put, Mr. Chairman.

Mr. McKinnon: Can I have that question answered, Mr. Chairman?

Mr. Chairman: Is there a question of privilege here?

Mr. Chamberlist: I would indicate, Mr. Chairman that it is a most improper proposition to put to any Member of this House that the records of the House are available for anybody to see and if anybody wishes to take whatever action afterwards. I noted that the sign that the power is beginning to run for cover because they know what is coming out and I will be prepared quite clearly that every word that will be stated by myself in relation to the association of those people who are trying to disrupt the people of the Yukon, the Government of the Yukon, this Territorial Council, I will say them quite clearly and you don't have to fear, Mr. Chairman, that the Honourable Member from Whitehorse West can point

all his legal actions against me and he can tell his friends likewise.

Mr. McKinnon: One thing I am tired of are all these shenanigans. You can assure the Honourable Member that I intend to start no court actions of any kind, anywhere at any time. I admire the courage of the Honourable Member of Whitehorse East and I have stated that. If anybody's a professional using the courts for his own purposes, the Honourable Member from Whitehorse East as to why he should stand accused at this table --

Mr. Chamberlist: It's a question of privilege -- I would ask, Mr. Chairman, if you would direct the Honourable Member to withdraw his remarks that I use the courts of Canada for my own personal purposes. I would ask, I would insist that that remark be withdrawn forthwith.

Mr. Chairman: I am not so sure as to how to rule in this manner. If it can be shown that Members do not use the courts for any purposes then I would suggest that the Honourable Member should withdraw his statement but I would think that the statements there were not of a derogatory manner.

Mr. Chamberlist: I would ask, it was in a derogatory manner, Mr. Chairman, and I stand on my rights as a Member of this House that the Honourable Member withdraw that statement that I used the courts for my own personal purposes. And I would ask that Mr. Legal Adviser would indicate whether I am incorrect in asking, Mr. Chairman, that there should be a withdrawal.

Mr. Chairman: Does the Honourable Member infer that this be the case?

Mr. McKinnon: Mr. Chairman, the Honourable Member wants to show me and bring evidence to this House as you suggested that the Honourable Member does not do these things and I would be most happy to withdraw my remarks from this Committee.

Mr. Chamberlist: Mr. Chairman, that is insufficient. I would ask, Mr. Chairman, to act in his capacity and instruct the Honourable Member to withdraw that remark.

Mr. Chairman: I don't think - I had hoped that tempers would not flare. I don't think that the remark was, in my opinion, out of line and I would think that we could possibly proceed.

Mr. Chamberlist: If the Honourable Chairman does not indicate that it is a point for withdrawal then he is saying that he is agreeing with the substance matter that the Honourable Member has stated and I would ask that you get legal advice from Councillor, I will accept his advice, on this matter.

Mr. Chairman: The Chair is so ruled in this manner and I would hope that the Members would quiet down on this issue and hold their tempers and proceed with the debate.

Mr. Chamberlist: What is the ruling, Mr. Chairman? I haven't heard it yet.

Mr. Chairman: I don't feel, in the opinion of the Chair, that a retraction of that statement is necessary.

Mr. Chamberlist: With respect, Mr. Chairman, what you have said I cannot accept that. What you have suggested is that a retraction is not necessary. I asked that the Member withdraw the remarks that he had made. There is no doubt at all with respect that the courts have already indicated to the Honourable Member who has just spoken that in fact, and this happened just a few days ago, that he was using the courts for a political purpose.

Mr. Chairman: Both Members have now embarked on this safari into judicature. I would ask again that the Members calm their tempers and resume debate on the matter at hand.

Mr. McKinnon: I wonder Mr. Chairman, if we could get back to the business at hand if I could have an answer and I was trying to admit to the Honourable Member from Whitehorse East before he got so upset that I did admire the courage he was showing, whether the Honourable Member from Carmacks-Kluane would have the same type of courage. She is drawing upon facts and from these she is coming to hypothesis and whether she would be prepared to submit and make exactly the same statements that she is making in the House, outside the chambers of this House where she is immune from the statements she is making.

Mrs. Watson: The Honourable Member knows full well that I was prepared to make the statements regarding facts outside of the House, opinions know that. Before I went forward on my presentation, I stated that I had done a lot of listening, a lot of research, a lot of probing and I am presenting the true history as I see it as true history, of the dealings that went on regarding the purchasing of the five lots and this horrible confrontation that has evolved between the City and the Territory and I also stated in my opening remarks that people have to form opinions regarding this type of thing and I also always felt that the five aldermen were being used and this is the case that I am putting forth on behalf of those five aldermen. Mr. Chairman, if you wish me to continue I shall.

Mr. Chairman: Okay. Proceed.

Mrs. Watson: Mr. Jack Burrows wrote to the Government at the concern of taxpayers, on behalf of himself and other concerned taxpayers, on November 13th, 1972. He addressed his letter to the Commissioner of the Yukon Territory and he requested an investigation. We were aware, Mr.

Burrows was the Chairman of the Porter Creek Citizen's Association and Mr. Burrows made the point in his letter that the purchase of these lots was illegal. Now here is this concerned taxpayer writing to the senior Government who has the duty of administering legislation that is passed in this House. Mr. Burrows also made a further point that the resolution was made for the purpose of bypassing any authority which had to be notified. Mr.

Burrows complained that one of the Aldermen stood to gain privately by the motion since the parking lot was across the lane from his business. Mr. Burrows also pointed out that the purchase was not in the City budget. He made the request in his letter for a complete investigation. In accordance with Mr. Burrows' request, the municipal inspector asked the City Clerk for a report, Mr. Burrows had asked for an investigation and it was this report that was delivered three weeks later, the end of December, December 28th to be exact. This report from the City Clerk had raised points that had never been raised before even during the discussions at City Council and I think it was a serious attempt to mislead the Government. For instance, Mr. Byron in his report and testimony to the Hobbs Enquiry, said that the land was purchased to be used jointly with the Housing Corporation in a scheme and this was never discussed in the City Council about the purchase of the five lots. Notwithstanding, this was brought up before Mr. Hobbs. Mr. Hobbs flatly rejected the evidence and, of course, the report, Mr. Byron's report, which is contained. And it was said many times by the news media and people on the street and by some of the people in this House outside of this House, and it was said by the Mayor and Mr. Nielson that Mr. Burrows was in some way a tool or a pawn for the Government and was used by the Government for the purpose of stirring up trouble. I am taking this opportunity to formally deny this charge. No discussions whatsoever were held with Mr. Burrows at any time concerning this matter with any member of the Executive Committee or any official of the Government and all our dealings with Mr. Burrows were by way of open correspondence all of which was published at the Hobbs Enquiry, and it seems quite remarkable that when Mr. Hobbs, at the termination of Mr. Burrows' addendum, went out of

his way to praise Mr. Burrows' civic conduct and his courage in bringing these matters before the public. And he went on to say it is the right and duty of every citizen to bring to public attention any instances of mismanagement or improper dealings by public representatives. Honourable Members, both radio stations and one of the newspapers, and I believe it was deliberate, neglected to mention a single word of what Mr. Hobbs said to vindicate Mr. Burrows. It is also of great interest that Mr. Hobbs ordered, as part of the punishment for misconduct, that the City pay Mr. Burrows \$1,000.00 towards his expenses in coming before the inquiry and submitting himself to a very severe cross-examination by Mr. Nielson who attempted, quite unsuccessfully, to blacken the man's character. I hope that the Administrator, on the advice of the Advisory Committee, will now see fit to carry out the terms of this order which the City has so far refused to do.

Our review of the Manager's report in early January caused great concern. A letter was sent to the City pointing out that an illegality had occurred and asked them to seek the assistance of their legal advisor concerning the proper procedure to follow should the Council still wish to continue with the purchase. I pause to point out here that at no time had the Government told the City not to make the purchase. Merely that if they wished to make the purchase, they must do it in accordance with the law passed by this House. On the 12th of February the City passed the by-law in an attempt to ratify the purchase and after consideration of the matter, the Government was satisfied that the ratification by the City was not capable of curing the defect. We were also alarmed by the discovery, through the events that had occurred, it appeared that Mr. Burroughs' allegations were true. That the City was concealing their real motive and attempting to disobey the restrictions and procedures imposed less than a year before, by the Municipal Ordinance. Rumours were also circulating around the city, throughout the city, and this is not unusual, concerning the involvement of certain people in improper practices and influenced by outsiders in city administrative affairs. I would like to stress that in an honest attempt to take matters head on and to resolve this whole deal out in the public and put an end to rumours and ascertain where the truth lay. It seemed best to appoint an independent, impartial inquiry, and the administration and the Councillors and any member of the public and any citizen who so desired to appear before the Board to testify in public concerning the real facts and reasons behind what had taken place. This is what we had hoped the Hobbs Inquiry would do. The Inquiry opened in March and at the end of the week's testimony, only Mr. Burrows had seen fit to come forward, with the exception of the City Manager and the Treasurer. The Mayor and the Council, who knew the true facts and reasons behind the purchase acting on the advice of their Legal Adviser, Mr. Nielsen, refused to testify. I hope you have all read Mr. Hobbs' report. For those of you who did not, I refer to the fact that Mr. Hobbs rejected every submission in law put forward by Mr. Nielson at the Inquiry. He also rejected every explanation of facts put forward by Mr. Nielson and condemned every piece of advice that the City had received. In his recommendations, Mr. Hobbs appears to have thrown up his arms, and in the interests of peace, recommended that the bones be buried and nothing further be done in the matter other than the Mayor and Councillors be publicly reprimanded for their conduct and Mr. Burrows who had been justified in the inquiry be paid his costs by the City. I confess here that the Executive Committee found itself in a very difficult position when it considers the Hobbs report. On the one hand, Mr. Hobbs had found that a series of illegalities had taken place which in law had the affect of putting an end to the Council as a legal body and yet on the other hand, he recommended to the Government to do nothing. Therefore, the Government didn't know what to do. They sought further legal opinion as to what was the legal affects of the disqualification section set out in the Municipal Ordinance. We were advised that the legal position was clear without doubt. The section said that each person who votes for an illegal expenditure becomes disqualified from the moment the vote is cast. There are no excuses, no explanations and that section leaves no room for mercy. Similar sections exist in legislation all across the country. Some of you may not be aware, a very recent case involving the Mayor of

Claresholm in Southern Alberta, which was decided in the Alberta Court of Appeals two months ago. In that case the Mayor voted for the expenditure of monies to remove curb on a highway to permit easier access to a shopping area in which he owns a laundromat. Notwithstanding that the full City Council, the Minister of Local Government in the Province of Alberta, most of the townspeople of Claresholm sympathized with him, he was disqualified from office and will so remain for the period of time set out in the legislation. The trial judge in that case and each of the Court of Appeal judges went out of their way to express their sympathy for the Mayor's predicament but they went on to say that the section is clear and that the disqualification set out in the section must be given lawful assent. Now, how were we to face the situation after the Hobbs inquiry?

Maybe, we should have brushed the whole thing under the rug. It would have been the easiest way out for everyone, I'm sure. I would like to ask the Honourable Members to consider our positions. We were advised that a clear illegality had occurred. We were charged by you to carry out the law as you have had it written and passed in this House. If we overlooked this, we would be answerable to you for our dereliction of duty. And we would deservedly incur the public sanction of this House. On the other hand, we have never told the City how to conduct their affairs. We were anxious for a peaceful relation, and we were not anxious to stir up trouble and we were not anxious to point an accusing finger at anyone. Here we to forget about it, just because Mr. Byron, Mr. Nielson and Mr. Nybrew were involved or did we have to carry out our duties? Perhaps, if we forgot about it, nothing would have happened. At least, until a rash of law suits broke out in the next City election. We were hesitant to impose our will, and in such an important matter unless it was crystal clear to everyone where our duties lay. With this in mind, we took further legal advice as to how the intervention of the Supreme Court could be invoked to decide what should be done. We asked the question of the Supreme Court, and I should say that it was decided by the Government to seek this legal advice from an outside source, from a lawyer not connected with either the Territorial, Municipal or Federal Government and not connected in any way through a residence or a business with the City of Whitehorse. In accordance with the advice that we received, the Director of Local Government was instructed to apply to the Supreme Court for an order declaring whether or not the Aldermen who voted for the expenditure had or had not forfeited their seats by that vote. In acting the way that we did, we were honestly attempting to deal with the matter in a formal, official, public and legal manner. We never at any time told the City what to do or how to do it. Although, we did ask them what in fact had been done, we never presumed to give them legal advice. This, they had to obtain by themselves, but what advice they received and from what source. Their advisor was chosen from amongst the partner in the firm which had originally given them the wrong advice and had close business associations with Mr. Dumas whose interests in the property in question is well known. The law firm, at this time should have the right to disassociate itself entirely from the whole affair and recommend to the City and the Aldermen that they should seek immediately impartial legal advice. Mr. Nielson, however, seemed to have been so deeply involved through his own firm's incorrect legal advice, his own close business association with the promoters of the scheme and his paranoid determination to damage both the Government of the Territory and through it the Federal Government, that he blinded himself to his duty, he appeared to have set out from the time of his first involvement to cover his own tracks, and above all had mixed up his duty as a Queen's Council and an Officer of the Supreme Court of the Territory with his own political aims.

Mr. Chairman: I would caution the Member at this point. I don't believe with confidence for the Member to make allegation to all that has been put forward. You may proceed.

Mrs. Watson: In the course of the whole affair, Mr. Nielson had advised the Aldermen at the commencement of the Hobbs inquiry that their conduct was proper and perfectly legal, and that there was no need for them to defend their position, and that the outcome was going to be 90% in their favor. He turned the inquiry so far as he could into a joke. Instead of sitting up at the table with the other Counsels, as was his duty, he sat in the Public Gallery, snickering with the Mayor at everything that was said. Had Mr. Nielson not persuaded his clients to remain silent, it wouldn't have taken Mr. Hobbs long to realize what the five Aldermen had been doing and it seems that the Mayor and his friend who had initiated and planned this purger long before they brought it officially and then continued the scheme to the advantage of the Mayor and his friend. If these Aldermen had kept quiet, then perhaps Mr. Hobbs would have been informed that Mr. Dumas was so desperate at that time that he had borrowed \$50,000 to keep himself financially alive and paid an exorbitant rate of interest and just at that time that the purchase was being arranged, he defaulted in his loan because he could not receive financing soon enough from the City. Perhaps, also Mr. Hobbs might have learned that the same Mr. Erik Nielsen had been a company director with Mr. John Dumas of Yukon Investment Corporation, Mr. Nielsen's resignation from this corporation was not filed in the registry office until the 9th of April, 1973 and this document purported to back-date the resignation to a month before to place it just before the commencement of the inquiry. In view of the remarkable put forward by Mr. Nielsen recently in court that the Erik H. Nielsen, Q.C., M.P. standing in front of the Magistrate must be a different person from the Erik H. Nielsen Q.C., M.P. charged with a violation of the Medicare Ordinance, I thought it necessary to have the signature on a company document compared with a signature on correspondence emanating from the House of Commons. I am not a handwriting expert, but in my opinion, the signatures are those of the same person. Mr. Nielsen's comment as the Legal Adviser of this City and these Aldermen had contributed largely to the public censure and the private shame of these five gentlemen. I have no doubt and I hope that the Courts will be able to deal in due course with Mr. Nielsen's unscrupulous and unethical behaviour in this instance. Many of you weren't present in Court when he endlessly repeated futile legal points notwithstanding that the same point had already been ruled against him by the Court. You probably had been informed that he informed his clients, the five Aldermen, when the case was almost over that the bills for his services would be \$500 a day and they had perhaps a 50-50 chance of winning. You have also probably been informed that Mr. Nielsen, and now it is his intention of endlessly delaying the Court's proceedings and lodging appeals, contrary to the instructions of his client, but at their expense. It did not escape his clients notice that Mr. Nielsen was unsuccessful in every single legal point put forward at the Hobbs' inquiry, at the Supreme Court's hearing and in the recent case in which he was involved respecting prosecution under the Medicare Ordinance. I put before you a picture of five ordinary citizens of Whitehorse who expect and should be able to expect that their Mayor and the Administration and their Legal Adviser will give them the truth about events as they are. I would give them correct legal advice in the conduct of their civic affairs. I would like to bring one small incident to your attention. When the City was in difficulty with its zoning by-law and before they were passed through the City Council, representatives of three of our departments sat down with the city officials, and one of them was the manager and agreed on the procedures to be followed and obtained the prior consent of the City Administration to the terms of the letters to be sent over the Commissioner's signature. They had agreed, they sat down with the City Officials notwithstanding the agreement when the City Council met, the letter was presented to the Council by the manager with the statement that's here was another harass being made by the Territorial Government to harass the City when in fact he had sat in on the meeting to determine the terms of the letter. The matter of the city lots,

the Aldermen were told that the Commissioner had been sent copies of the resolution and had proved it. This was a deliberate lie. I put it to you Honourable Members, who had killed democracy but the city government?

Mr. Chairman: I would at this point in time contend, I'm sorry but I must caution the Member. I don't think it's confident for any Member in the debate of the House to accuse anyone of being, I believe unless I misheard the speaker, of being a liar, not withstanding whether they're in the House or out of the House. Possibly the Member didn't intend to --

Mr. Chamberlist: The statement was a lie, with respect Mr. Chairman, not the person a liar.

Mr. Chairman: I again must caution the Member.

Mrs. Watson: Another incident. Immediately official news of the resignation of the five Aldermen reached the Government, a meeting was arranged between the Mayor and the surviving Alderman and a member of the Administration to sit down to determine what courses of action were open in regards to the continuation of the city affairs. Mayor Wybrew concealed this meeting from the public and an offer was made to Mayor Wybrew, former Mayor Wybrew as well as Mr. Watt, on appointment to the local Taxpayer's Committee and this offer was refused. And yet, his advice to this Advisory Council, could have been helpful.

Another incident which I would like to draw to your attention. It substantiates some of the remarks that I have made. The recent example of the illegal expenditures by the Mayor of City money, voted by you in this House at the Spring Session for a project involving cleaning up of the dump and then used on White Pass property and which Mr. Ralph Hougén was pleased to announce on television and radio as his gift to the City of Whitehorse. I would like to know by what authority Mr. Hougén hands out taxpayer's money appropriated by us? I would also like to know why Mr. Byron treated himself as a private citizen when he drew up the cheques and went with Mr. Hougén to get it signed by Mayor Wybrew. This was, as Mr. Byron put it, a very concerned citizen. It would be very interesting to know where the meeting took place between the concerned citizen and Mr. Hougén and Mr. Wybrew. Was Mr. Wybrew just another concerned citizen as he sat in the television station, preparing an extra-special announcement to be delivered to the airport, to Terry Brown and Sandy Brown as he boarded a 707 jet bound with taxpayer's money, to Charlottetown? Who were these people concerned about? Were they concerned about the riverboats, the taxpayers, or themselves?

Mr. Chairman: I must advise the Honourable Member at this time that her time again has expired. Is it the wish of Committee that the speaker continue? Proceed.

Mrs. Watson: I can imagine another scene, another incident. When the riverboats are finally repaired, with Captain Hougén on the bridge, Chief Engineer Byron on the engines, Mayor Wybrew at the helm, and Eric Nielson blowing the sirens to signal the ships on the way down the river of state. I have been puzzled why some of these gentlemen have become so involved in the politics of the City of Whitehorse, and have fostered disunity, they have worked for disunity to such a great extent. I have been waiting for some time for a public announcement to be made as to how the City of Whitehorse will handle the granting of the electricity franchise. This will be put up for renewal in less than 12 months time. I have also awaited a public announcement of a meeting of the present franchise holders, Yukon Electric, with Mayor Wybrew and the City Fathers, because this matter is of great importance. Honourable Members here are aware that residential electricity costs are subsidized by this Government, so that the rates in the city to be charged for electricity are of serious concern to us. Often in the past, allegations have been made that the citizens are overcharged, but this has been very difficult to prove. Possibly this will shed a little light on it.

At a private meeting at the City Council, the present electrical company offered a considerable sum of money to the City on the condition that the franchise was to be renewed on the same terms as before, and that no outside competition would be allowed to bid at a lower rate. I blush for Mr. Nielson, because as we all know, Mr. Nielson is retained by the electrical company as their legal firm.

Mr. Tanner: Mr. Chairman, point of order.

Mr. Chairman: Proceed.

Mr. Tanner: Mr. Chairman, I have not up til now interrupted and I don't want to particularly, but what the Honourable Member said just then, I think is the most serious thing I have ever heard since I have been in this Council, and I am not warning the Honourable Member at all, but I hope that her statements, and for the respect of this Council, that she can substantiate that last statement.

Mr. Chairman: The rules of debate in this manner for the presentation of Committee, well the boundries have been skimmed very closely throughout the debate in the last hour, for the edification of Members who are not clear on this subject, they can find it in annotation 149 and 150, but I would again caution the Member in the accusations that are being made in the House because these are very serious accusations and more particularly in the fact that the Member is under Parliamentary immunity.

Mrs. Watson: Mr. Chairman, this is a very serious situation. I would also draw the Honourable Members' attention to the fact that Mr. Nielson appeared before this House in 1969 when the Public Electrical Utilities Ordinance was presented before the House. It was his legal opinion and he opposed the Bill at that time, and the Bill was not passed but was brought back again while we were in office in this Council.

One very brief passing thought. The electrical franchise, which has to be awarded very soon, is perhaps the most important piece of business the City will have to deal with in the next year. I am not implying here that the Yukon Electrical Company should not get the franchise, but what I am saying, Mr. Chairman, is this: sealed tenders should be held in trust and opened in public; and the City should award the tenders to the lowest bidder capable of supplying electricity to the City. The benefits to be obtained from this franchise should be given to the citizens by way of a lower electrical rate.

Mr. Chairman: Has the Honourable Member any further remarks?

Mrs. Watson: Not at this time, thank you.

Mr. Chairman: I think, in view of the time, we will stand Committee in recess until 7:00 this evening.

RECESS

Page
Thursday, July 26, 1973
7:00 p.m.

Mr. Chairman: I call Committee back to order. We are dealing with Motion No. 1. And I believe that Councillor McKinnon has the floor.

Mr. McKinnon: Mr. Chairman, I have spent a lot of long afternoons in this Council Chamber, but I am afraid that I am going to have to admit that this is the longest one of all. I kind of wish, Mr. Chairman, that I had never inherited or developed this Scotch stubbornness that makes it impossible for me to quit a task no matter how distasteful it may be. Mr. Chairman, being a Member of this shameless farce of a Legislature is the most distasteful part of my life today. Contrary to popular belief, Mr. Chairman, that my immediate reaction would be to rush out at 5:00 and receive my advice from my crew of Masters, such as Messrs. Neilson, Hougen, Wybrew, Byron, Dumas and all the other citizens of the Yukon so ridiculously maligned today, I went home rather, Mr. Chairman, and opened a beer to try to get the bad taste out of my mouth, kissed my wife and child, put on a pair of shorts, went to barbeque, and enjoy the blessings of the Yukon summer. And, Mr. Chairman, I'll return to no phone, no T.V., no power, no sewer and water, no electricity but the mountains and the water and the trees of the Yukon. When all the actors, Mr. Chairman, we tragic little figures, have played out our silly masquerade here and have gone on to I'm sure much harder things, my children and their children will still be enjoying the changeless, timeless beauty of the Yukon. And Mr. Chairman, that is what, to me, is truly important. I wonder, Mr. Chairman, if you listen to the venom and the hate issuing from the mouths of those pathetic members of the Executive Committee, trying to justify their unjustifiable actions...if you didn't wonder, as I did, when it would be time for me to be tied into this massive conspiracy they are so sure is present in the Yukon, certainly, you must have waited with baited breath, as I did, for the point where I became involved with all of the corrupt practices that were being perpetrated on the people of Whitehorse and the Yukon. And it really makes us think, doesn't it, how easy it is for irresponsible Members of this House to attack, to crucify anyone they like while they have the immunity of the House and the people being attacked cannot defend themselves. How gutless they are when faced with the living, breathing, viable opposition seated across the table or beside them. Those people so unjustly and falsely vilified today can defend themselves. They need no help or apologies from me. They will continue to serve the public of the Yukon long after the ridiculous excuses of representatives sitting at this table have disappeared from the scene. There is only one boss in the Yukon, Mr. Chairman, and that is the people of the Yukon. If an election were held in the Yukon tomorrow, Mr. Nielsen would be returned as the Yukon Member of Parliament, Mr. Wybrew would return as the Mayor of the City of Whitehorse, Mr. Lucier would be returned as one of the Aldermen. Councillor Taylor, Councillor Stutter, and myself would be returned to the Yukon Legislative Council. Mrs. Watson, Mr. Tanner, Mr. Chamberlist and Mr. Rivett would be ignominiously defeated, and if you don't believe me, just go ahead and try it. You won't like it. This is the only test for this or for any other House. No other is relevant or acceptable. But the display of the elected Members of the Executive Committee in the House this afternoon - there is no future for this House. The bickering and the petty politics have to stop. The Yukon is sick of it. The ridiculous use of the courts to satisfy personal vendettas at the expense of the Yukon taxpayer must stop. The Yukon is sick of it. The vast majority of the people of the Yukon, five of the Aldermen of the City of Whitehorse --of the members of the Legislative Council all wrong. Is it possible, just remotely possible, that Norm and Hilda and Clive and Ron are just possibly out of step with the Yukon and what is happening in the Yukon. I am not going to enter the name calling, I am not going to get down to wallow in the political gutter. I will not use the rules of this House to unjustly and irresponsibly attack

those who cannot use the immunity of this Legislative Assembly. And Mr. Chairman, I will not waste any more of my time or my constituents' time listening to the insinuations, the allegations, the half-truths and the misrepresentations that are tearing and ripping this Yukon that I love and the community in which I live. I have better things to do - helping to heal the scars that these pointless confrontations have caused than to sit here and be a party to a further widening of the rift. Mr. Chairman, I would beg your indulgence, to call me at my home when this pointless and useless debate is over and we can get back to hopefully discussing the people's business of the people of the Yukon Territory.

Mr. Chairman: Is there any further discussion from the floor?

Mr. Chamberlist: Mr. Chairman, I would firstly like to take the opportunity of thanking Mr. Chairman for the broad manner in which he has interpreted the debating rules. We certainly appreciate the fact that he recognizes that it is necessary for us to completely show the case for the Commissioner who cannot participate in this type of debate for this particular reason in relation to this motion that has been put forward. Mr. Chairman, I would like to deal with some particular areas and I am indeed sorry that the Honourable Member for Whitehorse West is not here to hear my remarks just in short rebuttal for the remarks that he has made. Firstly, I think that we all recognize that the Honourable Member from Whitehorse West is a political bird of prey. There is no doubt about that, and I think that all Members have recognized that his credibility has, as a Member of Council in Chamber, has been questioned because of various statements that he has made in here which he has withdrawn after such a thing as, for instance, accusing the public service of providing him with documents...

Mr. Chairman: Point of order. I would caution the Member that it is also not within the prerogative of any Member of the House to impute the motives of any other Member of the House. I caution the Member.

Mr. Chamberlist: With respect, Mr. Chairman, I am just giving instances of facts that took place in the house. Imputations are not involved. In that particular instance of which I speak, the Honourable Member disclosed information to this House that he had received documents from this House from members of a Public Service when after he was challenged on that, the following morning by point of privilege, he stood up and apologized. I am just putting this forward as to his credibility. The other day on radio programs, he made statements that were completely irrelevant to the situation.

Mr. Chairman: I wonder if in the realm of relevance the Honourable Member would contain his remarks to the context of the Motion No. 1 and consider the relevancy category here.

Mr. Chamberlist: Yes, I will do that, Mr. Chairman, but before I started on my remarks, I indicated that because it was necessary to lead up to the substance of the Motion, it was necessary to make it quite clear, and I pointed these out, the power structure etc. behind the situation and when the credibility of certain Members of this House has been questioned by an Honourable Member, I think that I have the right to rebuttal. But however, I will be guided by what the Honourable Member says. I have indicated that I have shown that the Honourable Member is basically a political bird of prey. We are all politicians, but when I talk about bird of prey, I know that I have to pluck his claws before and I have plucked his feathers and I will do it again. Now logic is necessary to be maintained here, Mr. Chairman, and we heard an attempt to obtain public sympathy because many, many people are got at through their emotions, but I would much rather get to Members of this Committee and to the public at large through their intellect and the people of the Yukon have intellect. There is no intention on the part of myself or any other member of the Government to participate in any vendetta or place any venom, all we are doing is replying. And I may indicate at this time, Mr. Chairman, that at no time have I or any individual

Member of the Executive Committee mentioned in any public announcement or public expression the reference to the names of any of the five aldermen. In answering the press release that was made at the time that they resigned, we made very short, succinct answers to such questions that were asked of us. I want to point this particular thing out, Mr. Chairman.

Now, I would like to deal, Mr. Chairman, with the Municipal Ordinance, because one has to be cognizant of all of the areas of Government procedure for municipalities that has been clearly laid down in this house by this legislative body. I'd like to refer to 18(1) which reads as follows: Except as otherwise provided by this Ordinance, the powers of every municipality shall be exercised by the Council of the Municipality. Section 27(1): A special meeting of the Council shall be called by the Clerk when he is requested in writing to do so by the Mayor or by any two aldermen. Mr. Chairman, I bring this point forward because the actions that were started by the City of Whitehorse against the Government of the Yukon Territory was held at a private meeting. This private meeting was declared to be a private meeting at the sitting of City of Whitehorse when I was sitting in the Chamber. There is no such meeting under the terms of the Municipal Ordinance as a private meeting. At that time the City of Whitehorse became a party to an action and with the Mayor and the five aldermen at that time individually sued individual Members of the Executive Committee. I point out at this time that any person that can still maintain their action against the individual Members, then I will welcome, and I can just speak for myself, the continuation of any action.

Now, I am going to refer to section 28(1). Now 28(1) reads as follows: The Council may, by by-law make rules according meetings, governings proceedings, the conduct of its Members, the appointment of Committees and generally for the transaction of its business. Mr. Chairman, the City of Whitehorse has done that. They passed a by-law that has been in effect for some considerable time, by-law 147. Mr. Chairman, I refer to by-law 147, section 32. Section 32 reads as follows: No Committee of the Council and no Officer of the City shall on behalf of the City, enter into a contract or incur or authorize any expenditure without having obtained it by by-law or resolution the previous authority or sanction of the Council. Mr. Chairman, I would suggest that it is an administrative officer's responsibility to indicate that the powers of the by-laws of the City of Whitehorse must be complied with. I point this out because each Member of City Council in City Council, when they were asked about the expenditure on the White Pass -- that has been referred to by the Honourable Member from Carmacks-Kluane, each and every Member said, in open Session of City Council, that they were not aware of any resolution or by-law that they had provided. I point this out because it shows that there was some incompetence on the part of somebody to mislead the Members of the City Council. Now, before I go any further, I want to make this clear, and I want to echo, Mr. Chairman, the remarks of the Honourable Member from Carmacks-Kluane, that I - er - the Government of the Yukon Territory seeks no retribution from anybody. That I, and I am sure, all Members of of this Council and the Executive Committee, in no uncertain terms, feel deeply agrieved that five men whom I have lived amongst and they have lived amongst -- have been placed in a position so devious, so that it is almost difficult for them to take any other stance than they would have to take. They were misled, they were duped, they were ill advised and the responsibility must be placed in the right source.

Now, continuing with the sections, of the Ordinance, and this is of importance, section 29(3). Section 29(3) reads as follows: An act or proceeding of a Council is not valid unless it is authorized or adopted by a bylaw or resolution at a duly constituted open meeting of the Council. Mr. Chairman, there is no doubt at all that the acts or proceedings in distributing money for the painting of those boats over there was not an act adopted by bylaw or resolution of the City Council. O.K. Where do we put the blame? Let us come a little bit longer, a little bit further down. Section 33(1)(e). There is a question

of whether anything was used for pecuniary benefits of any individual. At this point, I make no accusations, later on I will bring you to an area of question that I want the Members of this Committee to examine for themselves. Section 31. Beg your pardon, section 33 (5). There is reference here which says this in fact: A person is not qualified to remain a Member of the Council if he 1) had the pecuniary interests whether direct or indirect in any subsisting contract with the Municipality under which money is payable or may be payable for any work, service, matter or bid. There is an exception. The exception is in section 2: provided he does not vote, debate or be present at a meeting of the Council. Mr. Chairman, the Mayor has been present while he has been interested in transactions taking place where he has been a shareholder in certain companies. He did not remove himself from the Council Chambers and he misdirected and voted on split votes. I bring this to your attention because I will be dealing with this afterwards. He goes on to say that provided that he does not debate or be present at the meeting of the Council or at any Committee meeting thereof, while any question effecting the company is discussed.

Let us now turn to section 36, and we will deal with the Mayor's duties. The Mayor of the Municipality shall be a Member of the Council, shall preside over all meetings of the Council, and shall be Chief Executive Officer of the Municipality. Mr. Chairman, that indicates a responsibility, not only to the Council but as Chief Executive Officer to every resident and taxpayer in the Municipality. It has already been indicated that a contract, an agreement for the purchase of property has been signed for by the Manager, who is the Administrative Officer, and only the power to award is given to him in the Ordinance itself.

Page
Thursday, July 26, 1973
7:20 p.m.

Mr. Chamberlist: Now, in view of the Hobbs' Report, in view of what has been said about not complying with the by-laws, can it be said, I ask that he has been active in causing the laws governing the municipality to be duly executed? Let us go to 41(c). "The Mayor of a municipality shall direct all administrative officers and employees of the municipality in the conduct of their work, and direct the management and business of the affairs of the municipality". Isn't there something wrong with this Chief Executive Officer, who has the responsibility to look after the affairs and the money of the taxpayers, when he hasn't directed; he in fact has misdirected. Let's go now to the Manager's duties. Section 43(3)(b) reads: "The Manager shall be the Chief Administrative Officer of a municipality and shall, under the control of the Council, put into effect and carry out the policies of the Council". It has already been shown that the policies of the Council have not been carried out. It has already been shown that by-laws which are in fact the legislation of the Council and thereby are the policies of the Council, have not been carried out. Section 43(1)(c): "He shall advise the Council on matters within the control and purview of the Council". Did this City Manager properly advise the aldermen who have had their heads chopped off by their own doings because they resigned, but not by their fault. I might say at this time, Mr. Chairman, that I will do everything possible in this Legislative Body to relieve these people of the penalties that have been imposed at this time, and make some necessary arrangements and support whatever changes have to be made to do that. As I say, we do not seek this retribution, and we do not seek punishment for them, but certainly, the blame for this responsibility should be placed where it lies; the incompetence of the Administration who should be advising and should have been advising the City Council, and they did not do so. The point in that particular section is 43(3)(g): "To carry out any other duties as prescribed by the by-law of the municipalities or resolutions of the Council". Obviously, this hasn't been done. I would like to go to Section 60(2), the exercise of the Council: "The Council may act in the exercise of any of its powers or duties by resolution unless by this Ordinance it is required to act by by-law". There can be no doubt, Mr. Chairman, that the language of the legislation is clear, and where the language is clear, effect must be given to it. I would like to turn to section 68(1): "The Council shall not directly or indirectly assist any industry or commercial enterprise". I'm not projecting that the White Pass wanted their boats painted, but certainly it is a commercial enterprise and the taxpayers' money that has been voted for in this House has been used for that purpose. You've already been told how it came about that that money was used for that purpose. I would suggest, Mr. Chairman, that there is nobody in this House who can deny that it was used for an improper purpose. Mr. Chairman, you keep looking at your watch. Could you tell me how much time I have before I sit down and come up again?

Mr. Chairman: I can inform the Honourable Member that he has about seven minutes left.

Mr. Chamberlist: I wonder if Mr. Chairman could indicate at this time whether the Council will allow me to continue?

Mr. Chairman: That will be determined when the Member's time has expired.

Mr. Chamberlist: Section 67 is something that I think I should especially bring to the attention of Members. "The Council may by by-law provide for obtaining by referendum the opinion of the taxpayers or of the electors, upon any question which affects the municipality and with which the Council has power to deal". Now, why, if there was any doubt in the minds of the members of the City Council, did they not take advantage of the very piece of legislation which governs their operation? There's a fact to point out under section 69, a very valid section, which reads as

follows, and I'll just read the beginning: "Every person who violates or fails to comply with the provisions of this Ordinance or with any by-law made thereunder in respect of which no penalty is specified, commits an offence and is liable, upon summary conviction ...", etc. Why, knowing full well that the Manager had not complied with this by-law, and after all, he is a person, why didn't they take steps to have this corrected. It must be recognized, and I am sure we all recognize this because we know that three of the aldermen had voted by motion to dismiss the City Manager for the ill advice he had given them, and quite properly, two members said, "We need legal advice and then we will deal with it". Mr. Chairman, the legal advice was obtained. They were told that they would have to use a corrective measure by bringing forward another by-law. There was something wrong when the City Council then, after getting the legal advice again, for about the fifth time, being shown quite clearly how they had been misled and ill advised, didn't take action in that particular manner. I wish to make a reference to section 81, which are those sections which deal with the disqualification of members of City Council because I've already said, and I mean this with all sincerity, that there is no point in having good men, and they have been good men, and there has never been any word out of my mouth of a detrimental nature to their capabilities and abilities to be City Council Members. I am just dealing with what they did and what they should have done. But, in Section 81 there seems to be a particular area where the man who has been responsible for this so far is sitting back in the weeds and makes a statement about Mr. Chamberlist to the effect that, "Well, I'm just an ordinary working guy; I'm not a politician". He's not a politician, yet at the last election, he was the one who told another person who was running against me, not to run because his party couldn't support me. So, this is quite a politician, and the man who was to be the agent for Mr. Nielsen. This man is not a politician. But, 81 makes this quite clear, and this should be considered. "Any member of Council who votes for any resolution authorizing the expenditure of money contrary to the provisions of this Ordinance, and any officer ...", and I want to make it clear that Mr. Byron, as far as I'm concerned, is not off the hook. I'll say it again and I won't repeat it after this time, but as far as I'm concerned, we'll have to do something to alleviate the distress of this 81(3). It's stated in the Ordinance, there's a requirement that it be there, because there can be other instances where certain people have done things with criminal intent, and then, of course, we would have to have it there to deal with that. In this particular instance, there was a measure where this Council would have to consider what can be done, and I hope we will. I want to come now to section 129. Before I go on, I would like to remark on section 118, and I'll tell you why I'm concerned about it. Section 118 deals with utility franchises by-laws, and I'm concerned because Mayor Hybrow's involved with a cable television company, and there happens to be a requirement for a franchise issuing of cable television. I just put this in as a point as to why I begin to get concerned. Now, in Section 129, there have been questions raised because under the Municipal Aid Ordinance, the right amount of money on a per capita basis hasn't been paid to the City of Whitehorse, and the question has always been that a new census should be taken. Well, I don't know why section 129, which provides that the Council may, by by-law, take a census of the municipality, hasn't been given any consideration at all. Now, 155 is the section dealing with the Administrator. As much as we like or dislike legislation, being opposed to legislation, and complying with legislation is a responsibility upon all of us. I think we should be thankful that the Commissioner is a man who has recognized his responsibility as the Chief Executive Officer of the Government of the Yukon Territory, to comply with the legislation that this Council has put before him for assent, and which assent he has given. He has not only a view to the people of the Territory; he has not only a duty to the Department of Indian Affairs and Northern Development who has appointed him by reason of the Yukon Act; he has a very major responsibility to this House. There are some key points, some key subsections which must be referred to.

Mr. Chairman: I think at this time I will have to advise the Member that his thirty minutes have expired.

Mr. Chamberlist: Will Committee allow me to continue?

Mr. Chairman: Does Committee agree?

Some Members: Agreed.

Mr. Chairman: Proceed.

Mr. Chamberlist: Thank you, Mr. Chairman. Section 155(1) has some areas where they specifically say when it's necessary for an Administrator to be appointed and his compliance with this law, the law of the Territory, the law or statutes governing the conduct of municipalities, and there is a specific statutory requirement for the Commissioner to act. Section 155(1)(c): "Where ... the Council is unable to obtain a quorum for its meetings ...". It must be obvious that if five out of seven resign and a quorum is four, it's just simple mathematics that there is no quorum. (d): "Where ... the Council is unable to carry out its duties for any reason whatsoever ...". Obviously, it is unable to carry out its duties. Then, it says, "the Commissioner may by order appoint a person as Administrator of the municipality". There can be doubts, Mr. Chairman, that the requirement was fulfilled. 159(2), dealing with once the Administrator has been appointed, says this: "The Commissioner shall appoint a local committee of two or more taxpayers with whom the Administrator shall consult in relation to the conduct of the affairs of the municipality". Mr. Chairman, prior to the appointment of the Administrator, and prior to the appointment of any citizens' advisory committee, and the Honourable Member for Carmacks-Kluane has already pointed this out and pointed out the absence of public recognition of this fact -- I want this really recognized, that the Executive Committee directed the Executive Member responsible for municipal government, Mr. Miller, to arrange a meeting with those two members who were left on the Council to ascertain from them what they would like to do. Mr. Miller, the former Mayor, former Alderman Watt, met, but not one word was said to the press about that. In all the continuing attacks and references that have been made to the Executive Committee, it was completely hidden so that it would appear that the Executive Committee was not concerned. This, Mr. Chairman, is a complete fallacy. The Executive Committee was concerned, it is concerned, and it will always be concerned about the affairs of the municipalities, of any municipalities, because it's our function to do that. In the appointment of this committee, there was much consideration given. It was required that there be people from all parts of the municipality, who would be able to assist the Administrator. This was done after a lot of consideration. The first two people who were asked, the very first two put forth by the Executive Committee were the Mayor and the alderman, because the law required that they be relieved of their positions once the Administrator was appointed, but the very first people -- what better show of concern could be made by the Executive Committee of the Government of the Yukon Territory in saying that the first people that should be there are those people who are left on the Council. As we all know, they were both approached, and the concern that was felt by Mr. Wybrew was that he was afraid of his political image if he went as a member of the advisory committee. If his concern was so great for the people and the City itself, why didn't he give his so-called expertise to the Administrator and let him know that. Why not assist him? Now, that's the difference between that man and John Watt. John Watt should be commended publicly for showing his public responsibility and saying, "Notwithstanding that I have been relieved of my position, I accept the responsibility on that citizens' committee". Now, Section 155, Mr. Chairman, is the section which we are all concerned about and then I said we're going to advise the Commissioner, and he has already stated it, we don't need to give him this. It says: "Where the Commissioner, in his discretion, considers it advisable to provide that the affairs of the municipality shall again be conducted by a Council, he shall by order revoke the appointment of the Administrator and make suitable provisions for the election of a new Council". Mr. Chairman, this is the aim of the Executive Committee, and this has been the Commissioner's aim; it has been that as quickly as possible, elect a government

to take control over the affairs of the municipality of the City of Whitehorse. Questions were raised about the Board of Inquiry, and I come to dealing with Section 157. I'm concerned about this Board of Inquiry because there were things said that, in my opinion, were a disgrace. The Board of Inquiry, when a question was raised during discussion on the Municipal Ordinance, and I made reference to it earlier on this afternoon -- the former Mayor said, "I want you to note that the City is not against a Board of Inquiry", and then, of course, when there was no Board of Inquiry, he wants a Board of Inquiry. The Board of Inquiry has wide areas and it's very difficult. "The Commissioner may, on complaint, appoint one or more persons who shall constitute a Board of Inquiry". He was written a letter of complaint by one of the taxpayers of the City of Whitehorse, and he was duty-bound to institute a Board of Inquiry. After much consideration, a very imminent officer, a loyal Q.C., with many years of experience in sitting on a Board, was chosen for that purpose. But, let us look at Section 167(2): "The Board of Inquiry may inquire into any matter connected with any municipality or the conduct of the business of any municipality". Now, the Board of Inquiry was there. Why didn't the municipality, which has had so many complaints, why didn't they, not necessarily the aldermen themselves, because this is why they have a City Manager who is the Chief Administrative Officer, but why didn't he recommend to the City Council that, as the Board of Inquiry was to be there, why didn't he say, if there is an opportunity, to ask this Board to look into any other matters. Here you have a clear opportunity, Mr. Chairman, for any area to be investigated. There was no opportunity taken here, none at all. During the Board of Inquiry, the Administrator was asked a question ... rather, the legal counsel was asked a question. The question was cast in the terms of what are the alternatives in this situation, and these were the words which were used by Mr. Legal Adviser, Mr. O'Donoghue. He said: "I am not sure what remedy I can suggest to this Inquiry. I hesitate, sir, to suggest the remedy that you should recommend an Administrator be appointed under the provisions and on behalf of that Ordinance." Mr. Chairman: "You say you would hesitate?" Mr. O'Donoghue: "I hesitate to suggest that." From those words which were recorded, some members of the irresponsible press that is now existing in the Yukon, that has lost completely the sense of responsibility, made the statement that the Legal Adviser has, on behalf of the government, asked that an Administrator be appointed. It was red -- I beg your pardon, it was yellow journalism -- I was thinking of something else at the time. It was yellow journalism of the worst type when that type of statement was made. I would say this, Mr. Chairman: I recognize the need for the media, press coverage; they have a responsibility to the people; we have a responsibility to the people and they have a responsibility to indicate to the people what has been going on and what has been changed. You know, I would interject at this time, just as an example where you can have two newspapers in the last two days, one with a very productive, very basically critical but suggestive editorial, the Yukon Daily News, and then, in the paper yesterday, the Whitehorse Star, was an editorial which has completely turned into bush league since Mrs. Flo Whyard has left that company. I might add that the Government of the Yukon Territory and myself personally tender a vote of thanks for Mr. Erlam that we are no longer having the danger of our children being contaminated by the type of crap that is put out by ...

Mr. Chairman: Order, please. Order, please. I wonder if we could keep our language parliamentary. I wonder ...

Mr. Chamberlist: I'll remove that particular word ...

Mr. Chairman: Order, please. I wonder if the Honourable Member would restrain himself in his language and address his comments to the Chair rather than the Public Gallery.

Mr. Chamberlist: It's just for the Chair that it was meant. I will continue to address this to the Chair, Mr. Chairman, but I want to just continue that last thing, that certainly there's a vote of thanks to Mr. Erlam for this particular position because here we have defamatory, libellous, slanderous type of writing that is done with a poison pen, with a backwoodsman's attitudes. Mr. Chairman, we are

Mr. Chamberlist continued:
placed in a position of very clearly defining that the Commissioner, in all the action that he has taken in this matter, has acted properly. Now, I've been speaking, Mr. Chairman, of the Administrator. I would like to speak a little -- I've come to just one point about the Administrator that has just crossed my mind, that after Mr. O'Donoghue had made that statement and the reports show that Mr. Nielsen said how disgusting it was that the government should even suggest an Administrator, when in fact this didn't take place. When the quo warranto hearing came into court, Mr. Nielsen, to the surprise of many, including aldermen who were sitting there, said to the Judge of the court, "The government need not to have moved this way; why, he could have put an Administrator in". That's the type of dealings that we have had to be confronted with, Mr. Chairman. Members of Committee, these are the things you must concern yourselves with; these are the important factors, of how the inflammatory stuff continued to go here. Mr. Chairman, I'd like to refer to one particular item where it would appear to me there has been more negligence. As you know, if a normal election was to be held in December, there are certain statutory requirements to provide for that election. June 1st was the date on which it was necessary for a voters list to be provided for the December election, and would you believe this: with a City Manager, a City Clerk and a City Treasurer -- all sorts of people there -- and they didn't even bring a by-law forward, so that the City Council can deal with it. Now, the reason they didn't do that is quite simple. The reason the City Council was not aware of this is that they have always been accepting the advice of the City Manager that everything is really copesetic, but he hasn't been doing his job, and I regret that these men, as a result of the City Manager not doing his job, have been confronted with a situation that they have no other alternative but to do certain things. Now, I'm leaving the Ordinance at this time, Mr. Chairman, because -- I wonder if I could rest for a few minutes?

Mr. Chairman: Carry on. I'll declare a brief recess.

RECESS

Mr. Chairman: At this time I will call Committee to order and order that Councillor Stutter take the Chair.

Mr. Taylor: Mr. Chairman, I have had the good fortune of representing the people of the Territory both within and without my district for some 12 years in this House, and I don't think that I have had as difficult a time or particularly in the Chair in trying to exercise impartiality that I have had this afternoon and this evening. I find that the events of today, I find them the most incredible thing I have ever seen, in my service to the Territory and to this House. I came to Whitehorse of course, knowing that there was a rift between the Government of the Yukon Territory and the Council of the City of Whitehorse. I made up my mind that I would not interfere in that rift other than to carry out whatever duties were in the interests of the people of the Yukon and the people of my district and in my service to this House. I find before me a motion which has no business in this House whatsoever, not because it is out of order, but because it is a matter that has no business being in this House. I find no reason for it being here whatsoever. That in the opinion of this House, the Commissioner, having been notified that by reason of the resignation of five of the aldermen of the City of Whitehorse, the City lacked a quorum to carry on its business and had no alternative but to the appointing of an Administrator. This is an administrative matter. Nothing more. It has no place in this House. I came to Whitehorse to this Session with the idea that we were going to discuss Workmen's Compensation Legislation, and I come and I am faced with this and I believe two other motions. So why, I become suspicious, who is covering up what? Now, I find, through the course of the afternoon and the course of this evening, through the two speakers that have spoken before, I have heard nothing but enunciations that Mayor Wybrew or former Mayor Wybrew of Whitehorse and the Member of Parliament, Mr. Nielson, and in the

smattering of my notes here I have other people, I believe Mr. Byron who I believe is the City Manager, I find Yukon Electric condemned, I find accusations made under the rule permitting Members to speak with immunity in the House, with no comeback from the public, the people they have accused. They are not accusing the other Members, they are not accusing the Administration, they are talking about a wholly-elected and free-living people out that window, who have no opportunity to defend themselves except in the general public and be subject to any criticisms that might come to court procedure or anything else that might stem from the accusations that they wish to make against any member of this Government or this Council. I hear cries of so-and-so didn't do that, and so-and-so didn't do this. What a sham. It has no business being here. It is none of the business of this Council. What has happened is that the Administration of the Yukon Territory has interfered with the conduct of the affairs of the Municipality and there is no way that all the arguments of who is right, who did what, who did wrong, who is accused of this, who is accused of that -- it has no bearing on the subject. The right of the City and the people of Whitehorse or any other municipality to rule their own affairs is a moral and inherent right. You know, I picked up a clipping which fits this point in time. A man very, very much in the public eye in the United States of America right now is Senator Irving and he said something which applies. "The history of mankind shows that Governments have an insatiable thirst for power. This desire for power will carry them to tyranny unless it is prevented." Think well on those words. Take a look someday about what tyranny is all about. I did. I looked in the Oxford English Dictionary and in part, this is what tyranny is: "oppressive or unjustly severe Government. Arbitrary or oppressive exercise of power, unjustly severe use of one's authority." Now the rules of the House do not permit me to make any accusations against any Member of this House, or the Administration, so I can only leave you with this thought. If the shoe fits, you place it where it fits. You speculate on what I just said. As I said, irrespective of who is right and who is wrong in this matter. It is not the business of this Council, it is the right of the people of the City of Whitehorse and the people of the City of Dawson and the people of the City of Faro to conduct their own affairs, and it is the people of that city who will throw out of office anyone they feel has done them wrong, and who has not worked in the interests of their people of the municipality -- they can take them to court, they can do anything with them. And I say to you this also, Mr. Chairman, it is also and must be the right of the people of the Yukon Territory to control this Council and this Government, not Ottawa, not a bunch of bumbling bureaucrats, to run the affairs of this Territory, to control the Legislature, to control the Administration. There is one man, and it is a pity gentlemen, that good, solid Yukoners have progressively been dragged in to the quagmire and stagnation of this Administration at the senior level. Good Yukoners, one of them is Commissioner James Smith, who is a Yukoner -- the only one in the whole Yukon Territory -- he is the only one who is legally able to administrate in this Territory and he admitted it in Question Period the other day. And in his absence, there is only one other person, and that is the Administrator, who sits, I believe in the public gallery at this point in time. There is no one else. There is no Executive Committee at all. They have no right to administrate. The Commissioner has the right to administrate and this man, a Yukoner, has got to live, unfortunately, with the misgivings and misfortune of these so-called bumbling bureaucrats in the conduct of their administration for the people of the Territory, in their interference in the affairs of the municipality. As was stated. People have been coerced, people have been dragged to court, people have had everything forced upon them by devious means, by direct means to get them to submit themselves to the will of a government which runs in here, makes legislation, the very legislation which we are speaking of here, and I have heard quotations from here all day -- the Municipal Ordinance -- bulldoze it through amid the protests of the Mayors and the elected Members of the municipalities, amid the protests of unfortunately,

by one, a minority of this Council, and then proceed to continue along the course of implementing, they did it with Medicare, they did it with Municipal Ordinances, they did it with many other Ordinances, and it is all a matter of record, the protests.

Well, it is not my intention, the Honourable Member from Whitehorse West I believe, stated in his remarks, to drag myself into this quagmire, but I guess I felt honour bound to make these statements and to put the matter plainly on the table. I am here to represent a great segment of the people of the Yukon and I consider that as a Yukon Councillor I represent all the people in some things in this Territory. I am proud of my Territory, and I am going to work my heart out as I have over these past 12 years to bring responsible government to the people of the Territory. Mr. Chairman, but there is no way that I could ever have anything to do with this motion, and I disassociate myself here and now, Mr. Chairman, from any part of the reason, intent, or result of this motion. I have had my say in the matter, I will say no more. But I would suggest that the Honourable Members who are hurling these accusations at random, under the immunity of the House, reconsider their position, and I say that there is a cover-up here that would make Watergate look like a piece of cake. And there has got to be, for why come to the Council of the Yukon Territory for a matter which is purely administrative? You want to make these accusations? Then why not do it like any John Q. Citizen of any municipality? Go down and make them on the street, and fight with the people, because they are the people that should, and will in time, when we get a new Council, when we get responsible institutions in the Yukon, they will be the people who will decide. I will say no more and lest it be construed that my words (and I hope that nobody missed any of them) will effect my impartiality in the Chair, this will not be. That is my word, and I thank you Mr. Chairman. I will resume the chair at this time.

Mr. Chamberlist: Mr. Chairman, I would like to reply to some of the things that have been said by the Honourable Member, because I am sure he wouldn't want to have his word recorded without a reply being made. I am very interested that he found it necessary to bring forward two remarks about the American Senator Irving and his statement that was read from a press report, Senator Irving has some thousands of positive statements. One of them that struck me as very viable, was that the Legislative Body of a country has got a democratic right to indicate its feelings as to the conduct of the business of its House, and certainly I think that is applicable. Now the near suggestions that the Honourable Member is making, that nobody in this Territorial and Legislative Body has the right to reply to the defamation that has been thrown against Members of the Executive Committee and in fact Members of this Territorial Council, is indeed without any merit whatever. I couldn't but help the - smile inwardly about the remarks about Ottawa. When anything went wrong with the City of Whitehorse, did they come to us to settle their problems? Or did they attempt to pull political tricks and go to Ottawa? Now who went to Ottawa? We're looking after our own affairs. And the suggestion that there has been coverup, you ain't heard nothing yet, because I am going to uncover that even the Honourable Member from Watson Lake will not be able to help recognize the situation that has developed in the Yukon, and could not help to recognize the financial implications of those people that have attempted to control the economics, political and commercial rights of this community and the whole of the Yukon. And I say this, Mr. Chairman, the Executive Committee have been the only people in the way of the overall control. That the harrassment and venom that has been issued by certain people and certain groups have been mainly against me, and I have been the recipient, but nobody heard me giving out long pages of dissertation about the situation, because I believe that this is my forum. This is my place where I speak. I don't speak out on the street, I don't stand on cars with microphones and speak out. At election time, sure, that is the name of the game, and I'll do it with the best of them, but I don't go out of my way to aggravate people and upset people and do what happened

about 18 months ago and have this gallery packed with people banging on the doors and the walls and broached by the same person that created this position before and by the same few. The Honourable Member made reference to Medicare, and this gives me an opportunity to reply, because he made reference to it. And let me say this, that we have been suffering continuously with pressures right from the beginning of the life of this Council, which I will be going into later, mainly one issue was Medicare. And there prosecutions against people and some people had a legitimate beef. They wanted to go and say constitutionally, I feel that I have no reason to register. Fine. I am not arguing with that. That is their privilege, that is their right. But when things come forward, like Mr. Wybrew coming to a Government Officer through one of his advisors and saying, Look, if you drop the charge, we'll register. And then stand up in a court, in there, and say "I have registered". I let you people decide for yourself, what is the implication of that statement? And that was done on the day --- that the charge was read against him, that he was prepared to make the deal to register right away if we dropped the charge. Talk about Medicare. This is the credibility of this man who has been the Mayor of this City of Whitehorse. And I am going to have to talk about Mr. Nielsen on Medicare. Let me read to you something because I think it is necessary that these things should be read. On Tuesday, May 15, 1973, Standing Committee on Indian Affairs and Northern Development, 15-7. The argument was which he was putting up, was that he was not a resident of the Yukon, that he felt that he resided in Ottawa, he paid his bills there, but he said this, on Page 15-13, Mr. Nielsen: Did I say 37-I am sorry, it sure seems that long. I might say that the views that I have been advancing are the product of 21 years of residence in the Yukon. This was on May 23rd. Let me tell you this. That this is the man who says that he was not entitled to be a resident in the Yukon. That is because he was registered for ages in Ottawa. As a result of enquiries that were made on the Ontario Department, let me read this into the record, because it is essential that we know. In response to your C.P. Telex enquiry, we investigated Mr. Nielsen's health insurance in Member of Parliament Group 624678. Our group liaison unit confirms that Mr. Nielsen is registered for Family semi-private health benefit --

Mr. Chairman: Point of order. I think these are private matters and I don't see the --

Mr. Chamberlist: This is addressed to the Government.

Mr. Chairman: Order please. Order please. I am saying that I don't see the relevancy and I also don't think that this is a matter of public information. They are matters which are personal for any individual and I will rule it out of order.

Mr. Chamberlist: With respect, Mr. Chairman, you raised the question of Medicare, opening it for me to discuss that matter.

Mr. Chairman: I also said that I would rule fairly, but I think that I have given the Member more than sufficient latitude in the subject and I would ask him to return to the motion that we are discussing.

Mr. Chamberlist: Dealing with the motion, I would like to clearly indicate that Mr. Nielsen did in fact register on February 1, 1973.

Mr. Chairman: Could we return to the motion?

Mr. Chamberlist: Yes. Thank you. So, I have replied to the statements that the Honourable Member has made. It was a good political speech, Mr. Chairman, and of course he is a capable politician and a Member of this Council for some years. I would rest at this time and now perhaps another Member would have something to say to this.

Mr. Stutter: Mr. Chairman, all I can say is that I will have remarks to say but I want to hold my remarks until I have heard all of Mr. Chamberlist's submission.

Mr. Tanner: Mr. Chairman, I would agree with what the last speaker said, but I would make one point that the Chairman, when speaking as a Member of the House makes the point that he when he came up from Watson Lake he was to do the business of the people and look after the Workmen's Compensation Act, but he did find time in the meantime to make a public statement saying, I am going to dissolve Council. It is all very well to stand and make a political speech and have these facts in front of us--

Mr. Chairman: A point of order from the Chair. I don't believe that was ever stated. I stated that I would submit a motion for Council's consideration respecting dissolution. Would you continue.

Mr. Tanner: I would say that is the same thing, Mr. Chairman, for the fact is that there has been a great deal of public discussion on the subject matter for the last three or four hours in this Council and I think most Members are fully warranted in making and stating their case and this is the first time they have had that chance to state their case. I think they should have that chance and I don't think that they should be interrupted in the manner that the Councillor for Whitehorse West and the manner in which the Member for Watson Lake has attempted. The rest of the Members of the House want to hear this. They have a decision to make, and we want to hear it.

Mr. Chairman: It is not the Chair's intention, not by any means whatsoever, to curtail debate, but it has also been the business of the House in practice at least to let other Members get a word in edgewise. The speakers have been speaking well over their allotted 30 minutes and they have been using, at the moment, the rules of the House to buy a little time so that they can speak another 30 minutes and every latitude, I think, has been exercised both by the Chair and the Members of the Committee who are all participants. That is the end of the matter, and may we proceed with the motion.

Mr. Chamberlist: Mr. Chairman, I would like to point this out, and I am sure Mr. Chairman will agree with me, that motions that are in Committee and are moved in Committee, are moved in Committee because of the flexibility of the rules in relation to discussion and debate. And Mr. Chairman, I know Mr. Chairman is trying to be impartial because he has certain fixed ideas, and he said that notwithstanding his ideas, he will remain impartial, and I am sure that he is attempting to be that. But I would ask Mr. Chairman to recognize that once a Member sits down and some other Member intervenes, the first Member can come back at any time, and I am sure that he agrees with me, and that he is not arguing that point. I wonder if I can continue, Mr. Chairman.

Mr. Chairman, I said I would proceed and deal with the -- report at this time because it seems to me that either Members have forgotten what the report had indicated or in fact had been given just partial information on what the report had indicated. On page 37 of the report was by-law 380 which was passed after all these events that had been taken in relation to the purchase of these lots, and by-law 380 purported to correct what had been done wrongly. And I would respectfully suggest that the Administrator in advising and with respect the legal advisor, that advises that a by-law of a Municipality can retroactively correct the non-compliance with a statutory requirement was not very sound legal advice. I point this out because Mr. Hobbs himself asked this particular question. There were many specific things that were said and I am going to go through them quickly because the answers will follow. The suggestion was made that the expenditure of the money on the lot was not a capital item, this suggestion was made by Mr. Nielsen on behalf of the City. Mr. Hobbs said this: I reject this argument. It is my view that when the City of Whitehorse paid \$142,500.00 out of general revenue for the acquisition of land, this was clearly an expenditure of money on a capital item. He goes on to say: I can think of no assets of the City which would be more clearly a capital item than this land. Mr. Chairman, when dealing with the question of whether the motion itself was any good, Mr. Hobbs said this: I have the furthering comments to make about this

Resolution, which was sometimes referred to throughout this hearing as a motion. A) In the first place, as I have already indicated, the Council did not have the power to proceed by way of resolution and should have proceeded by by-law. B) As I have already indicated, on pages 5 and 6 of my report, Exhibit 16 does not agree with Exhibit 5(a) in the actual minutes of the May 6 meeting. There is no reference to Alderman Hunter being part of the negotiating team to purchase. The instructions to the City Manager were to negotiate the purchase, not to purchase. It is because of the clear distinction and because of the interpretation that has been suggested by Mr. Nielsen, that Mr. Hobbs said this: The term "negotiation" as defined in Black's Law Dictionary is the "deliberation, discussion, or conference upon the terms of a proposed agreement, the act of setting or arranging the terms and conditions of agreements, sale or other business transactions." A clear, legal definition of what is meant by purchase. He went on to say this: If the City Manager had any authority at all to act on behalf of the City Council, it clearly did not go the length of the authority to purchase the property. Now how many of these points that are being made now were pressed to advise the public of what had actually taken place. I would say that there was very little done. I would say that there was no full page ad to say in fact that Mr. Hobbs had made these findings and that there would have to be something done about it.

Mr. Chamberlist: Mr. Chairman, I said I would -- the Hobbs Report went on to say on Page 31 "Are we to understand that Mr. Byron who had no authority to purchase the property at all was purporting to extend the time for acceptance of the offer by a telephone conversation which was alleged to have taken place on May 29th". He went on to say that Mr. Byron attempted to formalize the extension by the letter which he wrote to Mainsteeb on May 30th, a day after, already referred to. This letter when examined carefully turns out to be an astounding document. Mr. Chairman, I am just showing how the unfortunate Members of Council were hoodwinked so badly and the sympathy of the public must go out to them. He went on to say this. It reads as follows: "Our offer dated May 18, 1972 to purchase from Mainsteeb Developments Ltd. lots 6 and 7 and 5 of 8 is hereby extended for acceptance until May 30, 1972". He goes on to say the lots referred to were never at any time part of the property being bought and sold. It shows you how competent this Mr. Byron was. Sending letters about other properties which were not even the subject matter which was taking place. I find, and this is the key, that Mr. Byron acted without authority in making the offer contained in the letter of May 18th and also acted without authority in purporting to extend the time for acceptance of the offer. In any event the letter is defective for the reasons I have indicated. It says this, that as a result of this correspondence we have certain hopelessly, -- correspondence which purported to culminate contract of purchase and sale without any authority having been conferred by the City Council for anyone to purchase the property. Now don't people think, Mr. Chairman, that the Government of the Yukon Territory should be concerned when faced with legal opinion by competent legal Head of a Board of Inquiry. On Page 36, Mr. Hobbs made this remark he said, "In the results that we find by September 11, 1972 the transaction had been concluded by the delivery of title by the purchaser and payment of a substantial portion of the purchase price, did the City of Whitehorse properly exercise the power which I had found had been conferred upon it". It is obvious from what I have said that the answer to this question must most emphatically be no. I think now we will show quite clearly what in fact the Hobbs report had indicated. The Hobbs Report, of course, Mr. Hobbs. I just made one error, inadvertently or otherwise, is that he did not in his report conclude his findings of facts in law that the City had now power to make this purchase and the remarks that he made about the inefficiency of the City Manager to give advice that he did, did not conclude with a balancing philosophy of what these recommendations should be. And the Commissioner quite rightly became disturbed. He still hadn't been given the directions under the law. I am going to pass a few remarks. Now the press release that was given out by the City of

Whitehorse. I am pleased that there has been a meeting of the minds between the Executive Committee and four Members of the City of Whitehorse who were formerly aldermen. Now the meeting of the minds were not done by way of promises, bribes or anything like that. I read a suggestion by one alderman that there had been an offer, this alderman said and I quote "As well as agreeing to drop court action, the Executive Committee offered the aldermen positions as paid advisers to the City Administrator replacing the taxpayers appointments to an Advisory Committee last week. I can say this much, certainly it wasn't put in that particular light because everybody who is appointed to the position is entitled to remuneration on a per diem basis so it wouldn't matter whether it was any former Members of the City Council or the present Members. The per diem rate would be the same and it would be applicable. There's no special favours attached to it. I have got to make these remarks because I have been personally attacked, my integrity has been personally attacked, the integrity of every Member of the Executive Committee has been attacked. There's one thing, the people who have known me over the many years that I have been up here, there's one thing about me, I don't pull any punches, I don't hide behind any words. I say, Mr. Chairman, exactly what I feel and I say it because I mean it. There were certain things that were said that have to be answered. On Page 2 of this press release reads as follows: "Over the past 20 months the personality of Commissioner Smith and Mayor Wybrew have clashed". Now I can tell you they are not even in the same street when you talk about personalities. I'd rather have Commissioner Smith than twenty-four Mayor Wybrews. There's such a difference. You can't even compare them, there's no comparison, you leave that type of thing alone. The statement there has to be ignored completely. And then it goes on "And those personalities of Norm Chamberlist and City Manager Robert Byron have been in conflict to the extent of the Executive Committee that Mr. Chamberlist has let it be known that they intended to disband the City and appoint an administrator in order to get rid of those people whom they dislike". Let me tell you what I said, Mr. Chairman, and let me tell you what I will say again. I am of the opinion that Mr. Byron was a most incompetent man. I think he is incompetent and I think in the interest of the City, he should be disposed of. Not only did I think that but at least three members of the City Council.

Mr. Chairman: Order please from the Chair. I think I am going to have to rule on that. I don't think it's fair to continue this berating in debate of people who are not here and able to defend their positions. And I would rule that that is the end of personal attacks upon people who are not in this Chamber and if they were in the Chamber it would not be permitted under the rules in any event. So could the Member contain himself --

Mr. Chamberlist: Mr. Chairman, could I point out that I was not available to contest the statement that was made either but this is my forum and I have got to abide by what you say. I think it's unfair. Needless to say there is no clash of personality at all as far as I am concerned. I doubt whether in the last 18 months I have had more than a good morning or a good afternoon to the man except for going to talk to him about some personal taxation problems. This suggestion then was most improper. The suggestion at the bottom of Page 2 is that the Territorial Government has complete control of the actions of the City Council. Well, I am not going to go into that for the simple reason that the Municipal Ordinance gives the powers to the City of Whitehorse except for a few regulatory controls which we have, have to have and I just simply say this, that I don't like being controlled but if the legislation requires and certainly after all that has been shown up in the errors of the administrative officer for the City Manager, there is a necessity of course for controls to be there. The only pressure and harassment, as has been suggested, by the Executive Committee as a matter of fact when I asked one of the ex-aldermen what in fact was the harassment, he said "Well we got a letter from you to the effect that the Government was going to seek court action". Now this is all that he indicated and as I said I know where the harassment has been. They're the only general remarks I want to make about the press release because I want to get

down to the nitty gritty very soon but there's a necessity to lay all these areas on the table. Now let me tell you what the legal position as I see it of the Government has been. That the Government has carried out its responsibilities under the statute which is the Municipal Ordinance using a correct course of action under the Ordinance. I believe that the former aldermen used due process of law to contest the action and when it became obvious to them that they had been ill advised they resigned. I believe that the expressed intention of the enactment itself was to impose, Mr. Chairman, certain sanctions for breach of duty on members of a municipal council. These are regular sanctions and I might say also, upon administrative officers and the matter of recovery, can be taken by the municipality against the administrative officer. This has been overlooked. The findings of the Hobbs' Inquiry were twin - no person and no government must abuse the functions of the court. This was recognized when a magistrate here convicted Mr. Nielsen of a breach of one of our Ordinances. He took him to task because he should have known better as an officer of the court. The resignation of the aldermen is tantamount to an admission that inadvertently or otherwise, they had acted illegally on the bad advice received, whether the advice was legal or administrative, and did not wish to face the consequences of such a finding by the court. And I don't blame them, I don't blame them not in the least. Sometimes, you have to back away and I think certain people have the sense to back away. Some reference has been made to various situations and about obeying the law, complying with the law. As you know, we listen and we read newspapers and we listen to what is popularly known as a talk-back show and I couldn't but help hearing that one of the people who has been regularly giving the Executive Committee hell, finished up by - I haven't mentioned any name now Mr. Chairman, now just watchy, watchy, on the 18th of July the day after our Member of Parliament was on the talk-back show, it's all right Mr. Chairman if I say our Member of Parliament - I think that's all right. I recall a day when there was a program on dealing with the National Historic Society and there were two people being interviewed, these were the words of the moderator of the talk-back show "Whatever we say about the law, it should be enforced" and this is when the National Historic Sites people were complaining about vandalism and the picking up of some artifacts and things like that. And the gentleman said that whatever we say about the law, it should be enforced. That reference was rarely made in other instances but I just bring this to Members' attention. We have to start talking now about the key people who have been involved in the organized attacks upon the Government and individuals, ex-Committee Members as a result of the appointment of the administrator.

I think, to do this I would have to go, as I said earlier, to the very beginning and give a history of the life of this Council Session. Before getting into that, I think we should say this. I think Mr. Chairman, my voice is getting bad, and I would move that Mr. Speaker do now resume the Chair.

Mr. Chairman: I wonder if there is any other Member who would like to speak before this motion. There are other Members of Committee ...

Mr. Chamberlist: With respect, Mr. Chairman, the motion for Mr. Speaker to resume the Chair is not debatable at any time.

Mr. Chairman: Are there any other Members who wish to speak in this debate at this time? The Chair will now entertain a motion for Mr. Speaker to resume the Chair.

Mr. Stutter: I'll second that motion, Mr. Chairman.

Mr. Chairman: It has been moved by Councillor Chamberlist, seconded by Councillor Stutter, that Mr. Speaker do now resume the Chair. Are you prepared for the question? Are you agreed? I will declare the motion carried.

MOTION CARRIED

Mr. Speaker resumes the Chair.

Mr. Speaker: Council will now come to order. May we have the Report of the Chairman of Committees?

Mr. Chairman: Mr. Speaker, Committee convened at 3:00 p.m. this afternoon to discuss Bills and Motions. Committee recessed at 5:00 p.m. and reconvened at 7:00 p.m. I can report progress on Motion No. 1. It was moved by Councillor Chamberlist, seconded by Councillor Stutter, that Mr. Speaker do now resume the Chair and this motion carried.

Mr. Speaker: You have heard the report of the Chairman of Committees. Are we agreed? May I have your further pleasure?

Mr. Taylor: Mr. Speaker, I believe it is the intention of your Committee to discuss tomorrow Bills, Sessional Papers and Motions.

Mr. Speaker: May I have your further pleasure?

Mr. Tanner: Mr. Speaker, I would move that we call it 9:00.

Mr. Stutter: I'll second that motion, Mr. Speaker.

Mr. Speaker: It has been moved by the Honourable Member for Whitehorse North, seconded by the Honourable Member for Dawson, that we now call it 9:00. Are you prepared for the question? Agreed? I declare the motion carried.

MOTION CARRIED

Mr. Speaker: Council now stands adjourned until 10:00 a.m. tomorrow morning.

Mr. Speaker reads the daily prayer.

Mr. Speaker: Madam Clerk is there a quorum present?

Madam Clerk: There is, Mr. Speaker.

Mr. Speaker: The House will now come to order.

Mrs. Watson: On a point of privilege, I would like to draw the Honourable Member's attention to the fact that I haven't had the opportunity to go through the Votes and Proceedings. I have found several errors and I would like to have the opportunity to bring the errors forward to the attention of the Honourable Members after I have had an opportunity to go through the Votes and Proceedings.

Mr. McKinnon: Mr. Speaker, I rise on a very serious question of personal privilege. Mr. Speaker, information has been brought to my attention affecting the conduct of Territorial and Federal officials in the rights and privileges of this House. This information, Mr. Speaker, is in the process of being documented, an affidavit is presently in the process of being sworn. If this information is correct, Mr. Speaker, it will have a great bearing on all of the business remaining before this House. All Honourable Members are aware of the time and resources the elected Members of the Executive Committee have to prepare their argument. I ask, Mr. Speaker, that this House by majority consent be recessed until 2:00 o'clock next Monday afternoon, so that this Honourable Member may complete his investigation and decide whether to proceed or not. Mr. Speaker, all Members of Council, the matters that have been brought to my attention are of the utmost importance. I would not request this recess, otherwise, and I urge you, if you are truly interested in the well being of the Yukon to grant me this favour. Thank you, Mr. Speaker.

Mr. Chamberlist: Mr. Speaker, speaking to the question of privilege the Honourable Member left the House yesterday of his own decision and could perhaps have continued to hear some of the statements that have been made. I would not suggest, Mr. Speaker, that this be allowed because I think that we should continue with the discussion in the Committee of the Whole and then the Honourable Member will have the opportunity, completely to rebut anything. I would suggest that if he would ask after that time then, there may be favourable consideration given to his request.

Mr. McKinnon: Mr. Speaker, all Members of the House who have known my performance in the ten years that I have sat in this House know that I have never asked for this request before. When I make such a request it is not done in a frivolous nature. I am serious and I ask the House to bear with me on this request because it does have very grave overtones on everything that is going to be decided in this House at this Session and in future Sessions.

Mr. Chamberlist: Mr. Speaker, in returning again, that the Honourable Member knows full well that he cannot ask permission for time to proceed via the courts. This House cannot be used for any legal maneuvers of that nature and I would suggest, Mr. Speaker, that you rule we continue with the conduct of the House.

Mr. Taylor: Mr. Speaker, if I might on this point of privilege. I think that the request the Honourable Member makes is a valid one. I do not believe he inferred there was any involvement of the courts. I believe he said that there were certain documents and affidavits were available for tabling in relation to matters and very serious matters on this discussion of the House and I would think it is a very fair request.

Mr. Speaker: The Chair would like to be impartial.

Mrs. Watson: Mr. Speaker, I believe that we should have the

opportunity to complete presenting the facts and the Honourable Member will have the opportunity after that for his rebuttal, but I think we should be given the opportunity to present the facts as we have them. Over the weekend he will have ample opportunity to prepare his rebuttal for 2:00 o'clock on Monday afternoon. There is no point in recessing at this stage, so that he would not then have the opportunity to prepare the rebuttal for all of the facts, and I am sure that it would be of his own interests to have everything prepared and placed before the House so that then he can prepare his rebuttal. It would only be for the Honourable Member's advantage if he went along with this.

Mr. McKinnon: Mr. Speaker, it seems that all Honourable Members whether they have some kind of a guilt syndrome or something in their conscious that everything I am saying purports to the debate that is going on right now. I am saying to you, Mr. Speaker, and all Members of the House, that if the affidavits that are sworn are correct and are brought before this House, they affect the rights and privileges of each and every Member of this House including the elected members of the Executive Committee. There are things which they have no knowledge of, which are being sworn at this time. Whether or not I proceed with this is something that I will have to decide after perusing the documentation and the affidavits. What I am saying is give this Honourable Member time to be able to do this research on these matters which are very important to all Members in the conduct and the continuation of this House.

Mr. Chamberlist: With respect, Mr. Speaker, the Honourable Member knows full well that he cannot apprehend what might be in the affidavits and we will not be able to apprehend what might be in the affidavits that he suggests are coming forward. We should continue with the business of the House and then once they are brought forward to us, we will deal with them at that time.

Mr. Speaker: It seems to me a reasonable course.

Mr. McKinnon: Mr. Speaker, I would move that this House recess until 2:00 o'clock Monday afternoon.

Mr. Taylor: I would second the motion.

Mr. Speaker: It has been moved by the Honourable Member for Whitehorse West, seconded by the Honourable Member for Watson Lake, that this House recess until 2:00 o'clock Monday afternoon. Are you prepared for the question? Are we agreed?

Mr. Chamberlist: Division.

Mr. Speaker: Madam Clerk will you poll the House.

Madam Clerk: The Honourable Member for Carmacks-Kluane Lake?

Mrs. Watson: Disagree.

Madam Clerk: The Honourable Member for Whitehorse West?

Mr. McKinnon: Agree.

Madam Clerk: The Honourable Member for Watson Lake?

Mr. Taylor: Agree.

Madam Clerk: The Honourable Member for Dawson?

Mr. Stutter: Agree.

Madam Clerk: The Honourable Member for Whitehorse East?

Mr. Chamberlist: Disagree.

Madam Clerk: The Honourable Member for Whitehorse North?

Mr. Tanner: Disagree.

Madam Clerk: Mr. Speaker, the division is three, "yea", three, "nay".

Mr. Speaker: I declare the motion defeated.

MOTION DEFEATED

Mr. Speaker: Are there any Documents or Correspondence to be tabled? Are there any Reports of Committees? Are there any Bills to be introduced? Are there any Notices of Motion or Resolution? Are there any Notices of Motion for the Production of Papers? As there are no Motions for the Production of Papers, we come to Motions.

MOTION #7

It was moved by Councillor Chamberlist, seconded by Councillor Watson, that Sessional Papers Nos. 1, 2 & 3 be moved into Committee of the Whole for discussion. Are you prepared for the question? Agreed? I declare the motion carried.

MOTION CARRIED

MOTION #8

Mr. Speaker: Motion No. 8. It was moved by Councillor Tanner, seconded by Councillor Rivett, that this House discuss in Committee of the Whole, the Liquor Ordinance and the regulations under same. Are you prepared to proceed with this motion at this time?

Mr. Tanner: I am, Mr. Speaker, and I ask that question be called.

Mr. Speaker: Are you prepared for the question? Agreed? I declare the motion carried.

MOTION CARRIED

Mr. Speaker: Madam Clerk will you see if the Commissioner is available? We will now have a short recess.

RECESS

Mr. Speaker: Are there any questions?

Mr. Commissioner: Mr. Speaker, if I may, I have answers to questions that are outstanding, and may I proceed?

Mr. Speaker: You may.

Mr. Commissioner: Mr. Speaker, I was asked about the lots that were offered for sale in various outlying communities and what numbers of them had been sold at this time. In the Watson Lake area, there are offered for sale 9 trailer lots, five of these have been sold. Of 8 residential lots, three have been sold. In Ross River, the total number offered has been sold. Haines Junction - the same applies. Carmacks offered 8 and have sold five and Teslin, we offered one and we sold one. Certainly the point that was raised by the Honourable Member from Watson Lake in asking these questions appears to be a very valid one, namely that except in the Watson Lake area, it would appear that we have to get busy and make more property available and while I can't give Honourable Members assurances concerning the time elements that will be involved on this, certainly every effort will be made to make this time as short as possible.

I was also asked concerning the salary paid to the Administrator of the City of Whitehorse. Councillor McKinnon asked the question and tabled for Councillor's information is the order signed on the 19th of July by myself clearly indicating the salary and other specific items concerning the Administrator.

I was also asked, Mr. Speaker, concerning the content of the regulations under the Liquor Ordinance and I believe the question was have the impediments concerning attendance at special occasions by people under 19 years of age been removed? I believe that was the terminology of the question, and I said that I wanted to check with my officers on this, and I am told that I can give members assurances that these impediments have been removed.

QUESTION RE WATSON LAKE LOTS FOR SALE

Mr. Taylor: I thank Mr. Commissioner for the replies that he has given to questions raised yesterday. In relation to Watson Lake and the distribution of lots, Mr. Commissioner indicated that except in the Watson Lake area we must look at increases in lots and I am wondering if he would consider that possibly some of the lots that are offered for sale for reasons of being under water or for reasons of being unsuitable, possibly this is the reason that they are not sold, and I am wondering if he would consider including the Watson Lake area in any subdivision developments. As a second part of my question I would like to ask, and much of this is related to sewer and water, if Mr. Commissioner could inform me as to whether it seems reasonable to assume that sewer and water will proceed this summer in Watson Lake?

Mr. Commissioner: Mr. Speaker, about the worst thing that you can do on my job is to make assumptions, and until I have a factual situation in front of me, I am sure that I am not prepared to hazard any guesses or assumptions. But there will be a factual situation in front of me early next week and I think that I can assure the Honourable Member in question that the information will be conveyed to him immediately.

QUESTION RE PROBLEMS IN FARO

Mr. McKinnon: Mr. Chairman, I was listening to a news report on CBC, Yukon Network, last night when the Commissioner promised the people of Faro that they are going to live with a lot of problems for a long time. I want you to tell me if this was just a slip of the tongue or if this is what the people of the town of Faro can expect from the Territorial Government in the foreseeable future.

Mr. Commissioner: Mr. Speaker, you can interpret my remarks in any that you want to. There is no use in my denying that problems are here, they are all over the Yukon Territory and they are going to be with us for a long time and as far as any insinuations that this is the kind of treatment that the people in Faro can expect from the Territorial Government, there was no inference of any kind implied that they were going to get any maltreatment from the Administration or any Member of the Government at all, the fact remains that we can't eliminate all problems, Mr. Speaker, and we don't intend to go around and say that we are going to eliminate them all. We are going to have to live with them, everybody is going to have to live with them and all we can do is do our best to solve them as we can.

QUESTION RE PAYMENT OF ADMINISTRATOR'S SALARY

Mr. McKinnon: Mr. Speaker, I wonder. I see that the Administrator is being paid \$600.00 a week, plus expenses plus air fare from Prince Albert to return. I wonder if I could ask Mr. Commissioner who is paying the shot? The Government of the Yukon Territory or the taxpayers of the City of Whitehorse?

Mr. Commissioner: Mr. Speaker, this is outlined in the Municipal Ordinance of the City of Whitehorse.

QUESTION RE JUDICIAL REDISTRIBUTION

Mr. Taylor: Mr. Speaker, I have a question that I would like to direct to the Commissioner this morning. For some time now, Council has been asking that redistribution take place in the Yukon prior to the next election, and in view of the obvious tight schedule, or shall we say time table that would be required to give effect to judicial redistribution prior to the next Territorial Election, I was wondering if Mr. Commissioner could advise the House this morning as to what has or is being done in this regard.

Mr. Commissioner: Well, Mr. Speaker, I think the Honourable Members know the legislative authority for the distribution of the ridings in the Yukon Territory rest with this body here. The present distribution of seats in the Territory is a creation of this Legislature, and any redistribution, using that word, within the seven Members that are sitting here now, in other words the change in electoral boundaries for the seven Members that we are presently permitted is a prerogative of this body. However, I think the hope is that prior to the next territorial Election, which in the normal course of events will come in a year in September, that is September 1974, that there will be amendments to the Yukon Act which will increase the numbers of people that will be in the Legislature and hopefully at that time the redistribution or rather obviously, there will be at that time a redistribution and a realignment of electoral boundaries as required. It will have to be done by the legislative processes of the Council. But if the question is, is it the Administration's intent to bring forward suggestions to this body for the redistribution of the presently existing 7 seats, it is not our intention to do so. But it is certainly within the prerogatives of this body, if they wish to do so. Hopefully the amendment to the Yukon Act that will permit a larger Legislature will permit a proper & orderly piece of Legislation coming to you that will have the net effect of setting up an Electoral Boundaries Commission which in turn will report back to you concerning how they feel about distributing the total number of seats under the Yukon Act.

SUPPLEMENTARY QUESTION RE BOUNDARIES COMMISSION

Mr. Taylor: Supplementary, Mr. Speaker. This is my concern, is that where the House has no facilities of its own with which to know what is going on, this is done by the Administration and I am wondering, or I would hope and I would ask Mr. Commissioner if the Administration would give absolute priority to this matter and ensure that any matters relative to the Boundaries Commission, to the judicial redistribution question at hand will indeed be brought before Council on a maximum priority basis so that this opportunity is not lost in the shuffle, so to speak.

Mr. Commissioner: Mr. Speaker, the answer is in the affirmative. I cannot foresee the - what will transpire with the Parliament of Canada and the Government of Canada with regard to amendments of the Yukon Act, but I certainly would give the assurances that once those mechanics are underway we will not be found wanting to supply to this Body supplementary material that will be required to give us that too, whatever it would be.

SUPPLEMENTARY QUESTION RE LEGISLATION ON BOUNDARIES

Mr. Tanner: Supplementary question. Has the Commissioner or has the Executive or has the Administration in fact got that legislation or that work ready and prepared to bring to the Council should the emergency arise?

Mr. Commissioner: Mr. Speaker, when the emergency arises, we are not going to be found wanting.

QUESTION RE LIQUOR CONSUMPTION IN THE YUKON

Mr. McKinnon: Mr. Speaker, I saw a news clip on the national CBC News which was purported to be about the Yukon and Whitehorse in particular, where the Territory of the Yukon and the City of Whitehorse was made out to be composed of nothing but babbling drunks under the influence. The scenes in it were misrepresented to the point where people staggering out of the Liquor Store were purported to be coming out of the Liquor Store in Whitehorse, and in the middle of this exposé on national T.V. was the Legal Advisor of the Yukon Territory, Mr. Pdraig O'Donoghue, speaking to an Anvil reporter, Mr. Ken Mason, about the facts of liquor consumption in the Yukon. I was wondering, Mr. Speaker, whether Commissioner Smith saw the report, whether Mr. O'Donoghue had Mr. Smith's permission to make a statement when he was referring to the consumption of liquor in the Yukon Territory. It was a very biased, unwarranted, and false report.

Mr. Commissioner: Mr. Speaker, as far as I was concerned with this I saw exactly what the Honourable Member did, Mr. O'Donoghue neither had any special permission from me nor do I imagine that he considered that what was transpiring would require any special permission from me, but there seems to be some kind of a, I don't know what it is, but it seems to be a kind of a dedication on the part of the national news media to portray the liquor consumption in the Yukon Territory out of all proportion to what it actually is, and I regret very much, just the same as a lot of other people do, that this seems to be becoming a major topic of the kind of input that goes on in the national news. You would think it is the only thing that can be written about here. The sum of the things that were depicted on this particular news clip weren't scenes of here in the Yukon at all. I don't know where they were - I believe that you said the Liquor Store from Inuvik, Councillor McKinnon. But they weren't typical of this situation at all. I would like to suggest that the whole thing was put together to satisfy a particular newsman's interest and as we have no control over the media in these matters, we simply benefit or suffer as the case may be.

Mr. Speaker: If there are no further questions, I thank the Commissioner for his attendance, and may I have your further pleasure?

Mr. Chamberlist: I would move, Mr. Speaker, that Mr. Speaker leave the Chair and Council dissolve itself into the Committee of the Whole for the purpose of discussing Bills, Sessional Papers and Motions.

Mr. Stutter: I second the motion.

Mr. Speaker: It has been moved by the Honourable Member from Whitehorse East, seconded by the Honourable Member from Dawson, that the Speaker now leave the Chair for the purpose of convening the Committee of the Whole to discuss Bills, Sessional Papers, and Motions. Are you ready for the question? Are you agreed? I declare the motion carried.

NOTION CARRIED

Mr. Taylor: I believe our continuing matter of business at this time is Motion No. 1. Before we continue with Motion No. 1, I would like to ask for the concurrence or otherwise of the Committee in relation to the Workmen's Compensation Bill. There has been, as all Members are aware, a number of people attempting to deal with the matters raised in the preliminary discussions on this Bill and its amendments. I am wondering if the Committee would agree that following the conclusion of Motion No. 1, that we might agree to deal with this matter in order to expedite the passage of that legislation.

Some Honourable Members: Agreed.

Mr. McKinnon: Mr. Chairman, prior to debate beginning again, I would like to repeat my request and ask that Motions 1,2,3,4,5, & 6 not be proceeded with today. I want to make the point for Councillor Tanner, who wasn't in the house, when I was discussing my reasons for it, that he well knows the resources and the time of the Executive Committee Members have for their documentation, I have documentation being prepared that will bear greatly on all six Motions and decisions that all Councillors, I think, will be making on all those six Motions. I would ask that before these six motions can be proceeded with and before vote can be taken on them, that I might have the ability to finish that research and to present that documentation to this House. It will not be in the form of inuendos or misrepresentation, it will be in the form of documentation and of sworn affidavits to put before the House.

Mr. Chamberlist: Mr. Chairman, the same question has been put before the House, it has been dealt with. Obviously the Honourable Member feels he has some pertinent remarks to make, and every opportunity, I can assure him, Mr. Chairman, will be given to him to make his pertinent remarks,

after the submission is completed. And I think, Mr. Chairman, that we should continue with the discussion of the motion, and I am prepared to go along with the motion at this time. Can I proceed, Mr. Chairman.

Mr. Chairman: No, not at this time. Are there any other Members who wish to make any comments or indications in respect of the request made by the Honourable Member?

Mr. Tanner: Mr. Chairman, since the remarks were addressed to me, I can not see any reason why we shouldn't proceed even if the motion isn't called. I see no reason why we can't proceed and the Honourable Member can make his presentation to the Council or the Committee, whichever it be, at any time he likes, and I don't see why we shouldn't continue with the debate in the meantime.

Mr. McKinnon: Will the Honourable Members agree that vote not be taken on Motion No. 1 until I have had a chance to present evidence before Committee?

Mr. Tanner: I would agree with that on the condition only that we don't hold up any debate on this motion, that the Honourable Member from Whitehorse West would bring it to the House not later than Monday, lunch time.

Mr. Chairman: Are you agreed? Then the question is before Committee as it stands. There will be no vote on Motion No. 1 until the Honourable Member has an opportunity to present his documents.

Mr. Chamberlist: I have no intention of recapping on what was prepared yesterday. But, I did indicate that there are certain aspects that must be dealt with completely for now, all the pertinent factors of the matter leading up to the appointment of the Administrator. Mr. Chairman, I am wondering if it was purely accidental that the people concerned with vilifying, abusing and derogatorily attacking the Executive Committee have had no other reason than one of accidental reason. I wonder whether the people that have been named; Mr. Hougen, Mr. Nielsen, Mr. Wybrew, Mr. Byron and Mr. Dumas have had no concern at all in what has apparently been a consolidated attack. If there is any reason behind it, Mr. Chairman, my intention is to make disclosures to the public, disclosures and information that is available to the public from public documents and government files, if that media would have taken the time and trouble, they could have looked at these files and looked at all the ramifications of association financial interests in this area leading up to the pressures against the Executive Committee. Mr. Chairman, I must talk of a company known as Arctic Investment Corporation Limited. The majority shareholder in this company is a Mr. Ralph Hougen, the second largest shareholder in this company is Erik H. Nielsen. Mr. Nielsen has held those shares since 1954 until 1958, when he became a Member of Parliament and placed those shares in trust with a member of his family until 1968. In 1968, when the member of his family left Canada, those shares were transferred back to him. A month later, he then transferred in trust to an associate in his law firm those shares and this is how they remain in trust at this time. Now, why do I bring forward the name of this company. Let me tell you, Mr. Chairman, the shares withheld by Mr. Hougen were transferred to a member of this family. Arctic Investment Corporation Limited is the second major shareholder in Klondike Broadcasting Limited and Mr. Hougen is the first major shareholder in that company. Arctic Investment Corporation are the major shareholders in Northern Television System Limited and Mr. Ralph Hougen is the first major shareholder of Northern Television System Limited. Arctic Investments Corporation Limited is a shareholder in Whitehorse Motors Limited of which Mr. Hougen...

Mr. Chairman: I wonder if the Honourable Member could inform the Chair as to the relevancy of this motion has something to do with condoning the Commissioner's action relative to appointing an Administrator for the City of Whitehorse. It doesn't appear to the Chair that this matter has been raised to the Members at this time, in any way, shape or form to this motion.

Mr. Chamberlist: Now that the Chairman has asked the question, perhaps I will have to go back and say what I said at the beginning when this debate started. But because of the necessity to have Committee know quite clearly what are the associations leading up to the attacks upon the Executive Committee that it was necessary to disclose all information available so that there shouldn't be a conclusion drawn from this Committee as to the reasons why the Commissioner found it necessary to put in an Administrator and to protect the Commissioner and the Executive Committee from any further unwarranted attack by these people that have concern in presenting these attacks. It is legitimate quite clearly. There is no legislative response with respect, Mr. Chairman, that does not allow information of a pertinent nature to be brought forward. I am sure, Mr. Chairman, Members of Committee want to hear this information. They want to know the facts, and, Mr. Chairman this is the reason why I'm giving it and this is the purpose here.

Mr. Chairman: From the Chair, I just cautioned all Members last night to be very careful and segregate what is information for Committee from anything which could be interpreted as a personal attack upon someone not in this House. I believe at that time, I ruled that Members and the general public should receive the same courtesy in protection as Members in the House themselves and witnesses before this House would receive. I would ask the Honourable Member if in his debate, that he bear in mind because it appears to me to be a period of blood-letting of some nature and it is often difficult for the Chair in its impartiality to determine what is or could be constituted in a personal attack and what could be information pertinent to the question and necessary for the Committee.

Mr. Chamberlist: I appreciate what Mr. Chairman has said and I can assure Mr. Chairman that I am approaching this in the only way that I think it is proper for Members of this Committee to get this information. There has been bloodletting and I'm trying very much indeed to cauterize the wounds of the Executive Committee. Mr. Chairman interrupted my line of thought and I would hope that Mr. Chairman would not interrupt my line of thought while I'm making this presentation so that the Committee can clearly understand what the position is. I wonder Mr. Chairman, at this time, if the Committee would indicate whether they are prepared to allow me to proceed with my submission. Thank you. I must go back a little now, so as not to break the continuity, as I already said Arctic Investment has its major interest in Klondike Broadcasting Northern Television Service, an interest in Arctic Investment and Mr. Hougen is also in that. Now, Arctic Investment also are the investment company that held a mortgage for the whole of the Hougen's Limited operation, and now it has been passed and held but not terminated by another trust company. I bring this forward to show that Mr. Nielsen as a holder whether it be in trust or not of shares in the Arctic Investment Corporation Limited had an interest, a financial interest in all these companies. I'll come to my evaluation of this position a little later. Now, who do we have, and I might say this, Mr. Chairman, that it is not irregular for people to have shares in companies. Everybody is interested in having shares in companies, and there is nothing, there are many shareholders. I'm just picking out those appropriate people who control these financial interests, and by controlling these financial interests, attempts to control the economic political life of the Yukon. Who do we have now in Klondike Broadcasting where Arctic Investment Corporation had an interest. Let us talk about certain people who will be involved in this uncoverup that I said that I would be doing. We have one of the senior directors of Yukon Electric, R. H. Choate, who is a director and a shareholder in Klondike Broadcasting. Now remember Yukon Electrical; I will come to that later. We have J. K. McKinnon, a member of this Legislative Body, and until the 20th of December, 1972, a Director of that company. We have A. J. Wybrew, a shareholder and the former Mayor of the City of Whitehorse. Let us go to the Northern Television System, besides Mr. Hougen, Arctic Investment, which is Mr. Nielsen. We have again Mr. Choate, Director of the Yukon Electrical Company

Limited and a shareholder in Northern Television System. We have Mr. Wybrew, a shareholder and the Director of that company and the former Mayor of the City of Whitehorse. We have Mr. McKinnon, a shareholder and a member of the Territorial Legislature. The above registered share-holders are shown to be registered as of March 1st, 1973. They come to Whitehorse Motors Limited. Besides, Mr. Hougen had an Arctic Investment, and again, Mr. Nielsen has had an interest. We have Mr. Choate, an officer, senior director I might say, of the Yukon Electrical Company Limited. We have Mr. McKinnon, we also have Mr. Wybrew--again, Mr. McKinnon a Territorial Legislator, Mr. Wybrew, past Mayor of the City of Whitehorse. We also have Hougen's Limited as a shareholder in them which is controlled and is indebted to Arctic Investment Limited of which Mr. Nielsen happens to be the second largest shareholder. Let us deal with the evaluation of these particular people, we will come to the others later. Let us deal with the evaluation. Nielsen, through his shares, in Arctic Investment, has financial interest in Klondike Broadcasting, Northern Television System, Whitehorse Motors Limited and Hougen's Limited. All these companies do business with the City of Whitehorse, the Government of the Yukon Territory, and Federal Government departments. These are financial connections through Arctic Investment and himself personally as a major shareholder for the radio and television company, and as major shareholder personally, and second major shareholder through Hougen's Limited with Whitehorse Motors. The former Mayor Wybrew, Territorial Councillor McKinnon, a shareholder in three companies. These three companies do business with three levels of government; the City of Whitehorse, the Territorial Government and the Federal Government. Mr. Choate, either the Vice-President or the President of Yukon Electrical, is a shareholder of three companies, the Whitehorse Motors, the Klondike Broadcasting and the M.H.T.V. Ralph Hougen was also a director of the Yukon Electrical Company last year and also the Yukon Hydro Company until last year. The Yukon Electrical is seeking an extension of the franchise for the City of Whitehorse which is due to expire shortly and we have it from Aldermen that the Yukon Electrical Company Limited offered the sum of \$50,000 to the City Council if the City Council would make a by-law to renew the franchises on the same term, and these are questions that should be asked by the concerned press.

Mr. Chairman: I wonder if the Honourable Member would address the Chair rather than the public gallery.

Mr. Chamberlist: I appreciate that, Mr. Chairman, I concur with what you say. These are the questions that should be asked by the concerned press of the Aldermen and they would be told that this was done at a private meeting. Now, in case there is any doubt in anybody's mind, there is no suggestion that there has been an individual bribe to any individual Member of the former City Council. There is no suggestion at all, but bribe indeed it was to the City Council, the body, the corporation of the whole. I must remind you that Yukon Electrical Company Limited also has franchises with the Government of the Yukon Territory, but one of the major franchises that it has, it is in that area which was outside the original boundaries of the City of Whitehorse, in which is not due for renewal yet. Mr. Choate also is a director of both the radio stations and the television station, and it might be peculiar that Yukon Electrical Company Limited had tie-on arrangements on the pole-line system with the television station through his connection. I'm sure Mr. Chairman and Members of Committee can readily see how all these things, all these associations, how all these bridges are tied on together for one particular purpose. The connection, Mr. Chairman, between Mr. Nielsen, Mr. Wybrew, Councillor McKinnon were as Member of Parliament, Member of Territorial Council and Mayor of the City of Whitehorse and associated through their shareholders are Mr. Hougen, Hougen's Limited and the other interwoven companies. Mr. Chairman and Members of this Committee, the conglomerate is so big, the interwoven associations are so frightful, that people of the Yukon must become concerned about what is taking place. Mr. Wybrew is the general manager of the TV and radio station, Councillor McKinnon is manager of the TV station. It is fairly obvious that they have political masters Nielsen and

Hougen as the controlling interests in the Arctic Investment, in Hougen's Limited in the position that their jobs depend on acquiescence. Mr. Chairman, let there be no doubt at all that all the problem and complaints about lack of cooperation and lack of dialogue since this Council was elected commenced very early and started with the same theme. That is, to gain control in an area where there can be more than greater implement for the eventual benefits of these people. Now I have dealt with those companies. Let me, Mr. Chairman, now indicate because the question will be, how does Mr. Dumas tie with this setup now. How does Mr. Dumas tie in with Mr. Nielsen with Klondike Broadcasting, with the television system? How does this happen? Let us come forward now, and indicate how this tie -- the Mainsteele lots, you have heard, very appropriately put by my colleague for Carmacks-Kluane, of the association of Mr. Nielsen with Mr. Dumas and company. There can be no doubt that an association exists. But what is not realized and what has not been said is this, that Dumas Realty, the company that negotiated the business and-- copies of letters are available in the public files. That the headed paper was Dumas Realty that negotiated the transfer of these properties of Mainsteele acted as the agent for Mainsteele, ensured that one of the Directors of Dumas Realty was none other than Mr. Nielsen. File records are always available in the Land Titles Office for any interested Member of the public, Mr. Chairman, to see, relating the registration or other registered marks to see whether title belongs to who or what has been registered again. I would invite individuals to examine by themselves what they consist of. It has already been shown that Mainsteele Development already has Mr. Dumas linked with Dumas Realty and McKinnon, beg your pardon, Dumas Realty and Mr. Nielsen. There have been many property deals that have been taking place in the Whitehorse area where former Members of this Council, a former Member in particular, who worked years to save his money for investment purposes, has been conned by one of these deals. The number of companies that have been changing and halving and changing their names, I have lost count of them, I started in the area of 12 or 15. In this company Mr. Dumas was interested in Klondike Investment Corporation. Mr. Nielsen is a director, registered in 1971. I am just showing the connections, Mr. Chairman. It is interesting to note, Mr. Chairman, that when the difficulties that we were arriving at with the medical program and the registration that was before us, there was no opposition by people connected with the Yukon Medical Services Association. Who were the Y.M.S.A. at that time? Mr. Hougen was the vice-president and a director of the Yukon Medical Service Association. In imagining, Mr. Chairman, that we cannot just close our eyes or put blinkers on to the fact that Councillor McKinnon, a Member of this Legislature, opposed those areas, is associated with Mr. Hougen. I leave it to Members of Committee to use their own judgement in their own manner in figuring out what was behind all these things when the Y.M.S.A. closed off, there was a suggestion that the shares were going to be distributed to the people that belonged to it before. Another company was set up, a trust foundation and the \$45,000 hasn't been shown where that went to. Yukon Investment Corporation has been referred to, again Mr. Dumas and Mr. Nielsen have been connected together and showing through their connections, their connections with this syndicate. I say the syndicate because it is obvious that there has been a planned, concerted operation to discredit the Executive Committee, the Commissioner and specifically the Honourable Member for Carmacks-Kluane and myself, personally. I think, Mr. Chairman, that I have shown beyond any reasonable doubt that the association of these people who have so viciously continued on open attacks upon the Executive Committee of this Government. I say, this, Mr. Chairman, that we have carried out our function correctly, we have conducted ourselves at all times during a very, very delicate period with dignity and decorum. Although there have been others who have been shouting their heads off on the streets, we have conducted ourselves in a manner that I would suggest, Mr. Chairman, is the suiting of the responsibilities in the positions that each and every Member of the Executive Committee is honour-bound to conduct himself in

accordance with that position. Mr. Chairman, I am just going to close now because I think I have made the position clear. I just want to close on a statement made on a radio show here, just a matter of a few weeks ago, on the 17th of July, because I want to leave this with the impression of what down right... to state in truth Mr. Nielsen is a political animal.

Mr. Chairman: I would have to rule that statement out of order. I think this statement takes the form of a personal attack upon someone not in this House. I must ask the Member to take caution.

Mr. Chamberlist: All right. Mr. Nielsen is not a political animal. But Mr. Nielsen, who's political attitude towards the Executive Committee and the situation of the City Administrator is one of complete untruth. This is the statement. My own assessment, and I am quoting Mr. Nielsen, this was taken by transcript and the tape is a public tape and the tape is available. My own assessment based on the knowledge of the people in the Yukon is that they would be disturbed to say the least at what has transpired here. Certainly where there are other municipalities such as Dawson and Faro, this is the point that I am coming to now, and I want this heard loud and clear. He said, "Of course Faro operates under an Administrator now, as you know, but they would be disturbed that all of this power is being grabbed and centralized into the hands of the Executive Committee." Now...

Mr. Chairman: I must advise the Honourable Member that his time is limited.

Mr. Chamberlist: May I continue. I am on the verge of finishing.

Mr. Chairman: Is Committee agreed?

Some Honourable Members: Agreed.

Mr. Chamberlist: I will repeat those words. These are the words of Mr. Nielsen, "Of course, Faro operates under an Administrator now, as you know, but they would be disturbed that all of this power is being grabbed and centralized into the hands of the Executive Committee." Mr. Chairman and Members of Committee, this is so far from the truth that I cannot but say to you just leave this to your imagination as to what character this man has. It is simply just to mislead the people of the Whitehorse area that this ... wasn't for that purpose because we all know that there is no such thing as an Administrator in Faro. There is in fact a Mayor and Council and a Manager, now why would a man say that? Why would he say that this is an inclusion? Why? I would suggest that it was for one simple reason. To attempt to put another nail in our coffin, but the coffin is not made. I must say this in closing, Mr. Chairman, that I remained very silent for many years although the pressure, the type of pressures that were cultivated upon me were such that, many individuals I would say could not bear. I have never come forward and expressed myself in so strong terms as I have in these last two days. I have taken it enough. I have no intention of subjecting myself and my colleagues to unwarranted abuse, and I say this in complete finality, at this time. I want you to know, Mr. Chairman, that I carried out the functions of my duties in the best manner I can. I carry them out because I am dedicated to the people of the Yukon.

Mr. Chairman: Would someone else like to speak on the motion?

Mr. Stutter: Mr. Chairman, I will be speaking on the motion later, particularly after I have heard the comments that Councillor McKinnon will be bringing forward, but I would like to say at this point that I believe that you, Mr. Chairman, and the rest of us sitting around this table have committed the extreme width in latitude in discussing this particular motion. I think that if we were to read the motion the way it is worded, that is in the opinion of this House, having been notified that by reason of resignation

of five of the Aldermen of the City of Whitehorse, the City lacked a quorum to carry on its business, and had no alternative to the appointing of an Administrator. All of the points, or most of the points that have been brought forward, and I am pleased that this latitude has been allowed, because I do feel that many of things should have been brought out a long time ago, and perhaps after this, as a recent editorial in the Yukon News indicated, I think we can look forward to better relationships between the Senior Government and the other levels of Government, but getting back again to the motion, the motion clearly is after the resignation and after the City lacked a quorum that the Commissioner had no alternative but to appoint an Administrator. I believe that when it comes to what question is called on that motion, I will have no difficulty in supporting the motion itself. However where I definitely have my hang-up, is in what brought about all of the resignations, and many of the points that have been brought out, I think are the reasons that headed towards those resignations. But I do feel that if a lot of this information which has been brought out was known some time ago, by the two Executive Members, I feel that perhaps the Senior Level of Government could have met somewhere along the line and helped to avoid many of the things that have happened in the last two or three months. And it is definitely my feeling that now that we have other motions before us, and now that we are going to be discussing in particular the Municipal Ordinance, the one that has caused the many hang-ups, either deliberately, or through lack of knowledge of the new legislation, some of the points perhaps we can amend and clear up so that the situations that have developed over the past few months, at least won't occur again. I particularly am happy to hear Councillor Chamberlist say that he will do everything in his power regarding section 81(3) of the Municipal Ordinance, the section that causes a penalty for five years against those Aldermen that have now resigned... holding them from public office, and I am pleased to hear that he will do everything in his power to see that this penalty is not enforced in this particular case, because I do believe that these five Aldermen, as I have said before, either through the new legislation or because of the facts that they were led to believe were not true, are certainly well qualified to be Members of that Council, and I hope that things can be cleared up and that they will be allowed to run again. There will be other points that I will want to talk about on the motion later, and as I say, I am particularly interested to hear the remarks that Councillor McKinnon will be putting forward. I think that of the points that have been brought forward in the last two days, there are three ways that we can look at it. Either some of the information has been what I would call privileged information that was only available to Members of the Executive Committee, or else there has been some very poor coverage by the news media and that many of these points have not been brought out, or else the third thing is that a lot of it is absolute pure fallacy. And I think that it is unfortunate that many of the charges that have been made can't be answered by those that have had the charges laid against them. Perhaps some of the information that Councillor McKinnon is going to bring forward will allow us to see a little bit of the other side of the arguments that have been put forward. I really don't see where a lot of this has to do with the particular motion in front of us. Perhaps some of them should have been brought up with the other motions, but nevertheless, I have permitted, as well as other Members of Committee, I have permitted this wide latitude in order to get these things out in the open. I believe in the long run, that this public hearing of a lot of this stuff will perhaps allow us to get back onto a much better space from hereon in. Thank you Mr. Chairman.

Mrs. Watson: I would like to thank the Honourable Member from Dawson City for his open minded approach to the question, and I would like to again reiterate what I said yesterday. I was taking the opportunity to bring to the attention of this House and to the attention of the public what I believed. And that was that five conscientious, public-spirited citizens of this community had been sacrificed by some very unscrupulous Members of the community. Their names have been put in jeopardy

and actually even their ability to represent people has been questioned, and it was my hope that with some of the information that was put forward in the last few days, the public will have a better understanding of what actually happened and why these gentlemen were put in the position they were put in. I think a lot specifically goes back to the advisors, particularly to the legal advice that they received and why the legal advice that they received was so clouded and was not the type of advice they should have received.

Mr. Chairman: Any further remarks on the motion at this time? Do you wish that I report progress on the motion? I was wondering if the Committee would agree that I call a brief recess. Agreed? I declare a brief recess.

RECESS

BILL NO. 35

Mr. Chairman: We will return to Bill No. 35. We have with us the witnesses in relation to the Bill who have been working on the amendments and changes debated and discussed in Committee, and I was wondering if possibly the most expedient way of dealing with this subject, would be to ask Mr. Finland if he would take us through from the beginning, section by section, in order that we might progressively and routinely go through the Bill.

Mr. Finland: Mr. Chairman, I will go through each stage I think, just to ensure that the changes that I have noted down are the same as the changes that the Committee has noted. I have no change on page 1. I have no change on Page 2. On Page 3 we have reconsidered the question of whether or not the industry of farming and ranching should be included and we agreed to take it out.

Mr. Chairman: Committee agreed? Then I shall re-read section 3. (Reads section 3).

Mr. Finland: Page 4 - I have no change. Page 5, a small typographical error in subsection 12 be changed, the word 'it' to 'he'. No change on page 6; no change on page 7; no change on page 8; on page 9 there was again a typographical change, the heading 'Recovery by Employer' to 'Recovery by Commissioner.'

Mr. Chairman: Are you agreed?

Mr. Finland: No change on 10 or 11; on page 12, in 20(1) and (2) we changed the word physician to medical practitioner. I don't think there was any discussion of that in Committee, but we felt in the Administration that should be changed for the sake of consistency. The term medical practitioner was the term that we used elsewhere in the Ordinance.

Mr. Chairman, we had some discussion, I believe, in Committee, of section 21(1) and (2) on page 13 but we felt that it would be inappropriate to include the reference to medical practitioner at that point.

Mr. Chairman: For what reason?

Mr. Finland: Because, Mr. Chairman, the initial requirements that the workman submit himself for medical examination when he first makes application for compensation, should really be in the hands of the Commissioner or Referee, because at that point he has not yet seen a medical practitioner.

Mr. Chairman: Is that clear? Proceed.

Mr. Finland: I have no change on 14, and subsection 3 on page 15 was the next change, where we were dealing with the question of the workman returning to Canada at his own expense. We felt that we could delete that subsection entirely.

Mr. Chairman: Does this meet the approval of the Committee? Alright, this section has been read.

Mr. Finland: There has been another small change here, Mr. Chairman. After the word "may", in the second last line of 24(1) we have deleted the comma.

Mr. Chairman: And also there should be a correction in 3(b). Just a typographical error. Insanitary.

Mr. Finland: I have no change on 16. On 17, first of all a typographical change. We have deleted the comma after the word alimony in paragraph 1 and in 30(1) we took another look at the cost of necessary expenses of the burial of workmen killed in an accident and we found that we made no burial spot or cremation in our scale of expenses whereas other jurisdictions do. So we have increased this to some 400 to 600 dollars to cover all necessary expenses.

Mr. Chairman: That seems much more reasonable.

Mr. Finland: In fees we found that the limit of \$100 would cover the cost of shipment of anybody killed anywhere within the Territory.

Mr. Chairman: Committee agreed? In this case then the one section is - and this is 31(1)(a). (Reads this section.) Clear? Proceed.

Mr. Finland: On page 18, Mr. Chairman, the only change that was made there was in 2(b) which was a small 'a' to a capital 'A'.

Mr. Chairman: I see. Clear? Proceed.

Mr. Finland: The next one was on page 19, paragraph (b), regarding cohabitation, the reference to the discretion of the Referee, we agreed to delete those words.

Mr. Chairman: That is in line 3 and 4 from the bottom of subsection (b).

Mr. Finland: We also quite clearly established, Mr. Chairman, that the lump sum payment that is referred to down in 34(1) would apply in the case of the cohabitation situation. There is another change on that page 33(1)(b), we have increased the amount there from \$200 to \$250.

Mr. Chairman: (Reads section 33(1)(b)). Committee agreed? Proceed.

Mr. Finland: No change on 20 or 21. The next one was on page 22. Small typographical error in the word warning in the Bill in the second line of subsection 2, second paragraph from the top, it is earnings instead of warnings. I have no change on 23, I had no change on 24, although we did have some discussion about 50(1) and really I can't add much more than I did at the last meeting, Mr. Chairman. We have examined this and this is a standing section and all jurisdictions in this arrangement and the two years we have established as arrangements all across the country.

Mr. Chairman: So there is national cooperation. I agree here of course, but there could arise the situation where a person was exposed for only one year to the hazards and then could get the disability because of it, and as a result not be covered. Well, I don't know. Is it clear in this matter?

Mr. Chamberlist: I think perhaps Mr. Chairman, that it should be pointed out that the reason for that is that there is an inter-provincial agreement for which we are the signing authority,

Mr. Chairman: But I was talking about the workman who hadn't worked in any other province and had contracted the disease as a result of one year's employment in the Yukon, and he apparently would not be covered under such. He would have to have been exposed for two years, and this is where I find some problems. I understand that it is looked at constantly so maybe something new will come out of the commission of the uniformity of legislation. Any further on that? Proceed.

Mr. Finland: I have no change on 25 or 26. The next one I had was on page 27. There was some question about the word "special" in 58(1) and I think that with the addition of the comma after the word "subclass" it becomes a little

clearer. (Reads subsection 58(1).) Subsection (8) at the bottom of the page has been changed to refer to volunteer employment only, because previously it also referred to other excluded industries, farming and ranching, but now this is only voluntary employment.

Mr. Chairman: (Reads section 58(1)). Proceed.

Mr. Fingland: Page 28, in subsection (12) we deleted the words "by the Regulations" at the end because they were not necessary. If they are prescribed, there is no need to refer to the Regulations.

Mr. Chairman: Are we clear on that. Alright, proceed.

Mr. Fingland: The next change I had...29 was alright, 30 was alright, 31 there was reference to the Government of the Territory and there we felt obliged to defer to the constitutional observations by the Members of the Committee and we deleted references to the Government of the Territory.

Mr. Tanner: Mr. Chairman, I think we should complement the witness on the diplomatic way in which he put this.

Mr. Fingland: I have no change in 32, on page 33 there is a reference in subsection (9) to double registered instead of registered, and there is a consequential change to the earlier change about farming and ranching and in 68(1) we deleted paragraph (b) which makes old paragraph c, paragraph (b). We referred in old paragraph b to industries to which it does not apply.

Mr. Chairman: (Reads 60(9).)

Mr. Fingland: Mr. Chairman, there are two or three places, we will come to it later on. On page 34 is the word "cope" in the third last line in subsection (3) of section 71. It was intended that "cope" become "scope".

Mr. Chairman: Clear?

Mr. Fingland: I have no change on page 35. Committee did discuss inclusion to the reference to the Trustee Ordinance and Companies Ordinance in 74(1) and we decided that it would be helpful if reference to these Ordinances could be left in because these are the two main Ordinances to which these two sections would apply. It would facilitate the administration of the Ordinance if this was not changed.

Mr. Chairman: Is Committee agreed?

Some Honourable Members: Agreed.

Mr. Fingland: Page 36, in subsection (6) of section 75, again the reference to registered mail becomes "double registered" and also in subsection (7). That is the fourth line in subsection (6) and the sixth line in subsection (7).

Mr. Chairman: Would the Committee deem that 75(6) be considered read with the inclusion of the words "double register" where applicable?

Some Honourable Members: Agreed.

Mr. Fingland: On page 37, "he" has been changed to "who" in subsection (2) of section 76.

Mr. Chairman: Clear?

Mr. Fingland: I have no change on page 38, 39 or 40, Mr. Chairman.

Mr. Chairman: Have any Members of Committee any further matters relative to amendments on this Bill? I wonder if at this time the witnesses may be excused? Before we do excuse the witnesses, I think that on behalf of the Committee I would like to thank all the witnesses who are here for the work that they have put into this and apologize for the delay that some times occurs in getting back to the Table. On behalf

of the Committee I would like to thank you very much for your attendance at this time.

Mr. Fingland: Thank you very much, Mr. Chairman, we very much appreciate it.

Mr. Chamberlist: I would move that Bill No. 35 be reported out of Committee as amended.

Mr. Tanner: I second the motion.

Mr. Chairman: It was moved by Councillor Chamberlist, seconded by Councillor Tanner, that Bill No. 35 be reported out of Committee as amended. Are you prepared for the question? Are you agreed? I declare the motion carried.

MOTION CARRIED

Mr. Chairman: I think in light of the time, I'll stand Committee recessed until 2:00 o'clock this afternoon.

RECESS

Mr. Chairman: At this time I'll call Committee to order. Just prior to our noon recess in processing Bill No. 35. It was pointed out that the Chair overlooked the reading of the preamble, which I will now read. This is the Workmen's Compensation Ordinance, the Commissioner of the Yukon Territory by and with the advice of the Council of the said Territory enacts as follows. We will deem that the appropriate motion will carry in Committee. The next matter of business is Motions. The next motion is Motion No. 2.

MOTION #2

Mr. Tanner: Mr. Chairman, if I might address the Chair. This morning we had -- we discussed, we didn't come to a conclusion, with Motion No. 1 and I suggest for Council's consideration that on Motion Nos. 2, 3, 4 and 6, while we might discuss them this afternoon no conclusion be drawn -- that we just report progress on them. That is my suggestion to the House on the following motion.

Mr. Chairman: Is that agreeable to Committee?

Some Honourable Members: Agreed.

Mr. Chamberlist: Can we include No. 5 as well.

Mr. Tanner: Mr. Chairman, yes I'll include No. 5 as well, although it doesn't appear on the Order Paper, I think we agreed to bring it into Committee.

Mr. Chairman: No. 5 is in Committee. That is Nos. 1, 2, 3, 4, 5 and 6.

Mr. Chamberlist: I wonder if Mr. Chairman would agree that his own Motion No. 9 be included in that category as well?

Mr. Chairman: I wonder if the Honourable Member could indicate to me what Motion No. 9 is?

Mr. Chamberlist: Councillor Taylor versus Territorial Council.

Mr. Chairman: Speaking personally from the Chair, I had a dissolution motion and it was there just to show the House that indeed a Member does have the right to place a motion before the House. However, it is not reported from the Chair and has no place in the Committee. We will proceed then to Sessional Papers. We have one further Motion No. 8, if you wish to discuss that first.

Mr. Tanner: Perhaps Mr. Chairman, you misunderstood what I had said. My suggestion to the House is that we should discuss any of these motions that Members want to discuss, that we shouldn't bring them to a conclusion this afternoon in Committee. In other words, deal with it exactly the same way we did with No. 1. I think that's agreeable with other Members of the Committee.

Mr. Chamberlist: With respect, Mr. Chairman, this is the intention that we deal with the motion but that we not put them to vote so that Honourable Member from Whitehorse West will be given the opportunity to bring forward whatever he said he has prepared to bring forward on Monday prior to the motion being put to vote.

Mr. Chairman: Would this not be irregular and cause a great deal of repetition? Is it not when a motion is dealt with or deferred or would you wish to proceed with other items? You have asked that I report progress on Motions Nos. 1, 2, 3, 4, 5 and 6 at this time.

Mr. Chamberlist: Now wait, we didn't ask that, with respect, Mr. Chairman, the Honourable Member from Whitehorse North pointed out that because we were asked this morning that we would not come to a decision of votes on Motion No. 1 that he's putting forward exactly the same proposition that we deal with the motions and not come to a vote on any of the other motions. I have agreed to that, I have heard other Members agree to that. Perhaps Mr. Chairman would like to put the same question forward again.

Mr. Chairman: I started off by saying that we would proceed with Motion No. 2, I then got the inference from Committee that we were to report progress on all up to No. 6. Now that Chair holds the position that we revert back to the original position. I suggested in the first place that we discuss Motion No. 2, however, it is indicated that Committee does not wish to take a vote upon Motion No. 2 at this time. Do I have the matter straight now?

Mr. Tanner: Yes, exactly as Mr. Chairman says except with a minor exception that refers to all the motions that are presently on the Order Paper.

Mr. Chairman: Could I have that again please.

Mr. Tanner: Mr. Chairman, I suggest that we discuss all the motions as they come up, that Members want to discuss--

Mr. Chairman: I would like to advise the Committee that one motion is one motion as we deal with them. This is the normal procedure and I see no reason to differ from it unless the Committee so wishes. Now we will start at the beginning and I call Motion No. 2, moved by Councillor Chamberlist, seconded by Councillor Watson that this House has confidence in the Executive Committee concept to proceed.

Mr. Chamberlist: Mr. Chairman, I believe that the concept of the Executive Committee of the Territorial Government is working very efficiently. Each and every Member of the Executive Committee, whether they be appointed or elected, have conducted themselves in the manner in which the areas laid down for them when the Executive Committee was formed, the beginning of this Council's life, has been complied with. I suggest, Mr. Chairman, that the continuation of the Executive Committee concept as it is now until such time as we can go into the next stage of developments of Government, should be maintained. And I have asked, Mr. Chairman, that this Committee recognize this particular fact and that it accept also when the time comes for voting that the motion will be passed. That indeed this Committee has the confidence in the Executive Committee concept.

Mrs. Watson: Yes, Mr. Chairman. One of the specific reasons for this motion made before the House this day is to have some indication, to give the elected people on the Executive Committee some indication of what the opinion, what the criticisms of the rest of the House are regarding the Executive Committee. Both Councillor Chamberlist and I who are on the Executive Committee naturally are not able to look at the concept in the most objective way that we should and I think it would behoove us to very, very seriously misconstrue some of the criticisms and suggestions that I hope will come from the rest of the Members of this House. I myself

certainly do not think the Executive Committee concept as it exists today is perfect, is a perfect arrangement. I think it is only a stepping stone to where we want to go. There are many areas in which changes can be made and I think one of the most specific areas that we should consider when we are discussing the Executive Committee concept is the manner and the methods used by this House to recommend to the Commissioner appointments of Members from the House to be Executives. I have quite strong feelings on this and I think that when the next Executive Committee or if an Executive Committee is appointed again, an Executive Committee appointed from this House, this House should somehow designate to the Commissioner the leader of the Executive Committee and then the leader should be choosing the Executive Committee that he wants to serve with him as an elective body and in this way, you are getting people who are representatives on the Committee representing people from the House who have like-thinking in their policies and their ambitions for the Government of the Yukon Territory. I am not going to go on much further. I may have some other comments that I would like to make after some of the rest of the Members speak on this motion. One thing that I would like to stress to the Members here, that when we are speaking about the Executive Committee concept we should not let the concept be concerned with personalities. I think these are two different segments altogether and we should be discussing just the concept today.

Mr. Stutter: Mr. Chairman, the motion reads that this House has confidence in the Executive Committee concept. Now either I am a little confused or perhaps some of the other Members who have spoken are confused. It seems that some of the points that have been raised are seeking a vote as though the last words were left out. It's my feeling that to vote against this particular wording it's almost impossible because I believe the concept of, just to interrupt myself, I think to begin with that if the 7 of us around this table were asked to sit down and write a brief essay or a brief explanation as to what we thought the Executive Committee concept was, I think you would have 7 different opinions and I would like to hear from both the mover and the seconder what their idea of the Executive Committee concept is because in the previous motion of Council in 1966, Motion No. 40 which appeared at that time to have pretty well unanimous consent of the House, it also talked about an Executive Committee and that I would have to think was the same type of concept as we have today and I believe that we have to be very careful that we are not confusing the two things in this particular vote. We are not talking about the Executive Committee as it now stands, but the Executive Committee concept and I would like, once again, to have both the mover and the seconder say what their idea of Executive Committee concept is.

Mr. Chamberlist: Mr. Chairman, I will reply to the Honourable Member in this manner. It has always been the intention of the consecutive Territorial Councils as soon as possible to form a majority in this legislative body that would be able by recommendation to have political input into the governing body of the Territorial Government. The political input that exists today is by two Members of this legislative body. When the idea of political input was broached to the Department of Indian Affairs and Northern Development, it was suggested by the Minister that there would be only one Member from this legislative body sitting with the senior appointed civil servant of the Territory and the federal appointed civil servant and this would be the political input. After much discussion and attempts to get the majority, in other words to get three elected people, Members of the last Council met with the Prime Minister of Canada in Ottawa to attempt to get a greater input from the one that was designated into the Executive Committee. At that time Members of Council show the Honourable Member from Whitehorse West and myself as spokesmen when speaking on this matter with the Prime Minister. After considerable discussion, the Prime Minister and his Minister of Indian Affairs and Northern Development met us part way by increasing the number of political appointments in the Executive Committee to two. The concept that I spoke

of is the concept that my motion spoke of, is as it is now. As the position is now, it is not for the future because we all know Mr. Chairman that once there is an expansion of membership to the Territorial Council it would follow, indeed it would have to follow that there be also an expansion of the elected Members of the legislative body to the Executive Committee. As I have said before I hope it will be that all the Members of the Executive Committee will be elected Members. The concept, as I see it, in the Executive Committee today and the question that has been put is whether or not the House has confidence in the Executive Committee, concept as it is today. This does not bind this Committee to indicate in any way that it is the same concept for the future because we would indeed be saying that we are content with the structure of the Executive Committee but I feel as I already have indicated that the concept of joining the administrative elected bodies together to form the nucleus of the future government of the Yukon Territory is the concept that exists as it is today, and as it exists with the seven-member Council that we have. All there is... I believe the answer that must come is that the Executive Committee is constituted today, with the number of elected Council that we have that the concept is satisfactory as is. But it does not intend that this same concept should be for future times, except of course, that the concept is one of the Cabinet's responsibilities to the elected Council. I know that arguments will come forward, and they are sound constitutional arguments dealing with the administrative and elected situation combined at this time. As the Yukon Act is now, the step that has been taken is a great step forward toward the area of responsible government that we are seeking. The Honourable Member for Whitehorse West and myself agreed that it was a good step forward, that the principle behind it was sound and this is the only area at this time that an answer must be coming on this particular motion.

Mr. Tanner: Mr. Chairman, could I ask the Member who just spoke, specifically one question, and would he give me a yes or no on it. Does this motion that is in front of Council today called for a vote of confidence in yourself and Councilor Watson on the Executive Committee?

Mr. Chamberlist: No, it does not.

Mr. Tanner: Thank you, Mr. Chairman.

Mr. Chairman: Just before I pass a remark or two on this item, I wonder, I would also like to ask a question, why is this motion here?

Mr. Chamberlist: The motion is here for a simple reason. Firstly, because I proposed it and it was seconded by the Honourable Member for Carmacks-Kluane, and I'm sure the Honourable Member who asked that question knows too well that one doesn't have to give a basic reason why we put it forward, but certainly I would say that generally the reason is that because there has been some sort of anti-Executive Committee concept policy and we simply want to be assured that the policy or rather the concept of the Executive Committee is acceptable to the Members of this Committee. That is the reason.

Mr. Chairman: Would you please take the Chair?

Mr. Taylor: There is as in the first motion, Motion No. 1, there is no reason for this motion other than as I can see, has some sort of a cover-up for something I'm still not too clear on what it may be. There is no purpose or no real meaning for this motion being here in the first place and there isn't a soul that has acquainted with this Session wouldn't agree to that. I have stated many times in this House that since this conception by the Minister under Ministerial permissiveness that this so-called experiment in the concept, shall we say, of the Executive Committee, it has been a colossal absolute failure, it is a tragedy, it is worse than that. When we talk about constitutional reform, which we personally thought might work was thought to be okay. That might just be the answer. It has been proven since not to be workable at all. I think basically when one reviews the operation of this thing, you cannot serve to master it when you are elected. You either come up here and you participate administratively in a government which

is controlled by the people and answerable to the people or you come up here and you work for an administration which is controlled by Ottawa and answerable to Ottawa. Unfortunately, under the Executive Committee situation or concept today, this is exactly what happened. You elect seven men as we have in this Council to legislate for the people of the Territory and then you take away two and you make them office boys for Commissioner Smith, and that is exactly what happened. So, what you have is a five Member Council. You have two gone in the Administration working on Ottawa's behalf to get the people in many respects. How can you say to me that this concept will work. This is a very tricky motion and I don't know how it can be handled. The only way that the Executive Committee concept could possibly work would be when the Territory is answerable to the people and no longer answerable to Ottawa. This is where the development of provincial style government where the Commissioner is in his top coat and in his coming and going cap and everything else moves to the side, his position comes out of the Lieutenant Governor, and a Premier is elected. The House has enlarged of course, which is going to be, the Minister stated that it would. The people form a provincial style government and that it is the only way. I couldn't agree with the motion. I have confidence in the suggestion we made in Motion No. 40, and which is now a matter of consideration for the House of Commons. I have a great deal of hope that it will be the House of Commons who will straighten out this dreadful mess in the Yukon Territory, because obviously it's not going to be done by the Department of Indian and Affairs, by which I affectionately call Northern Retardation. It will have to be done by Parliament itself, and right now I find on the elective side at least of the Executive Committee what I stated last night and I restate today, "nothing but bungling bureaucrats", and this is not what I consider to be in the best interest of the Territory. We talked about administration. I stated again yesterday, there is only one man in this whole administration that has by law the right to administrate and that is Commissioner Smith. Unfortunately, as I stated also yesterday, it is a real pity that a good Yukoner has to suffer for all of the misgivings of those bungling bureaucrats and others possibly within this administration. The motion is unclear. It has no business being here unless it is to hide something and if it is to hide something or give something to hide behind, I disassociate myself from it, but I wish to make it abundantly clear that the Honourable Member from Dawson has pointed out in Motion No. 40, which was my motion of 1966, which is now going and has been recommended to the Parliament of Canada by the Standing Committee. In that concept, I do agree but not on the concept that it has been suggested by the Honourable Members here. I did want to make one other comment too, while I'm on my feet, Mr. Chairman. It was really wonderful to hear the comments of the Honourable Member from Carmacks Kluane when she said "Now, we certainly do not want to have any personalities brought into this discussion. Let's make it clear, we'll just stick right to the concept." I wonder why the sudden change in heart with the change in motion? Maybe, she could answer that one for me to.

Mrs. Watson: Mr. Chairman, I think I clarified the full motion by those words, by those comments that we were not discussing the people on the Executive Committee. That would have to be a different motion. I was quite clear on that and I think the implications were quite explicit that the Honourable Member would be able to take advantage of the few implications once in a while, that we were supposed to be discussing the Executive Committee concept and I took heed at the words that the Honourable Member from Watson Lake did say. His idea of the Executive Committee concept and that is why the motion is here before the House today. We would like to hear your comments on whether you think this concept is doing what you had hoped it would do when you brought forth your motion in 1966.

Mr. Taylor: Well, the answer then to that as I have stated is no. It has not achieved that whatsoever in any way, shape or form and the motion is too broad; it has left too many interpretations and I personally am afraid of it, it was said that this House has confidence in the Executive Committee period, I would immediately say no. If it said it has confidence in the Executive Committee concept as it says now and then sets out some concept, well I might agree or disagree

with it, but the way it is at, it is too vague and I would have a great fear of lending my support with something which is possibly, I won't say nefarious, but there is some reason to this being here which has not been told to us. I might also point out that since the inception of the Executive Committee so-called concept in this Territory, this Government or administration has ceased to be an administration and more resembles M.I.5 or a secret service or something of this nature than they do at administration. And that has only been since the inception of this Executive Committee concept. The morale of the public service of this Territory is at such a low ebb as to be astounding, and it has been that way for well over a year, very low, in many departments, and no, I cannot agree with you that the Executive Committee concept is the answer. Particularly in the form it takes today. You can't serve two masters. You either serve the people of the Yukon or you serve Ottawa, and that is the decision one must make. You can't serve them both, and that is the end of the matter as far as I'm concerned. I will say no more on the subject.

Mr. Tanner: I'd like to ask my question to Councillor Taylor now. Councillor Taylor, in '68 or '69 when the whole of Territorial Council, all the elected Members went down to Ottawa, I believe you went with them.

Mr. Taylor: That is right.

Mr. Tanner: I believe at that time, as Councillor from Whitehorse, at least it was said you and your fellow members selected Councillor McKinnon and Councillor Chamberlist to speak for you with the Prime Minister. When you came away from that meeting, or when the decision that the Prime Minister made at that time to put two elected people in the Executive, were you at that time satisfied with the decisions as far as you can go at that time?

Mr. Taylor: Yes, Mr. Chairman, I was quite satisfied at that time that we had made a real step forward for the people of the Yukon, at that time. But, it soon became quite apparent and quite evident that with the make-up of this Committee remembering that even in light of what I said that there are still three appointed Members from that Committee and two from the Legislature. So, the people are still in the subservient position. But, since that time, the old departmental policy, divide and conquer, this is how they keep control in the Yukon, if they can keep this Council split up and keep everybody fighting, they are laughing all the way down the trail. This is the department, the Federal Department of Indian Affairs and Northern Development who granted it by Ministerial permission, the great gift of this Executive Committee and this is true but we were sold a bill of goods on it, that's all. It didn't fit but it was better than what we had but now I look back on it and I think we had something better when the Commissioner who still runs the Territory, sat as Commissioner and the seven Members, five Members, originally seven Members sat around it, I think there were seven fighting for the people, not five. In this case, we have it down to three fighting for the people and four working for the government. This has been shown. It is shown right here in just about every decision that is made, so in answer to the Member, that is it, divide and conquer, that is what is happening and that is my statement.

Mr. Tanner: I would like to ask the Member another question. It appears that in '68 or '69, you had agreed with what the decision was and since that time, you have changed your mind. Now, just another one simple question. Have you changed your mind because of the personalities in the job or have you changed your mind because in retrospect looking back, it was a bad decision?

Mr. Taylor: I might say I have nothing but disgust through the personalities involved in the job, that's

quite clear and evident and I don't think anyone doubts that. And many people of the Yukon have disgust. But, no, my opinion is not based on that. My opinion is as I have stated, that you cannot serve two masters, you either serve Ottawa or you serve the people of the Yukon and that Executive Committee serves Ottawa does not serve the people of the Yukon.

Mr. Tanner: Mr. Chairman, I'm sorry that I keep jumping up and asking questions but let's give the Honourable Member credit. He was here and he has been here longer than any Member, and I think that he has always got an opinion that he is entitled to, he made a decision in '68 and '69 and he has now changed his mind and what I want to know from the Member now is what alternatives would he suggest now? A third Member on the Executive Committee, in other words a majority, or do away with it altogether.

Mr. Taylor: The alternative you have if you wish to retain an Executive Committee Concept as a transitional step towards full provincehood and full autonomy, then you have an Executive Committee consisting of, leaving the Commissioner for instance, leaving him on the Committee but giving him no powers if the majority of that Committee vote on something, then that is the way it is. The Commissioner has amounts only as a representative of the Federal Government giving control of this administration to the people and making it answerable to a Legislature when another one is established in the Yukon, when the Government becomes answerable to the people of the

Yukon, then this concept could work in that role. Otherwise you still have to go to a full provincial style government and you have no Executive Committee, you have a Cabinet.

Mr. Tanner: I am sorry, Mr. Chairman, I really didn't understand the first part of the argument. Did the Honourable Member say that we should have two elected, two appointed and the Commissioner as Chairman, or what was your suggestion. Could you tell me again.

Mr. Taylor: We were talking about an Executive Committee which is entirely, with one exception, composed in any magic number you wish to determine, which is entirely from the elective position, with the Commissioner remaining as somewhere between the Chief Administrator of the Territory and the progression to the Lieutenant Governor, but no legal power in the hands of the Commissioner. The people must then run the Territory. Then, under that concept of the Executive Committee, we might have something that would work.

Mr. Tanner: Well, Mr. Chairman, I don't think that anybody is going to argue with the Honourable Member, and we would all like to see that, except isn't that a step in that direction that we have taken? Irrespective of what the outcome is or what has happened, or what people believe in or who they like and who they don't like, isn't that a fact that this is a step that has already been taken in that direction. And isn't the next logical step to maybe not get them all elected but have the majority of the elected Members on the Executive Committee.

Mr. Taylor: Mr. Chairman, the steps that the Honourable Member referred to, which was thought by all of us to be a big step forward turned out to be three backwards. I will now resume the Chair.

Mr. Tanner: Mr. Chairman, my feelings are well known on this, but I would like to hear Councillor McKinnon because he again was on that last Council and he again was in Ottawa and he again apparently at that time felt that it was the right step forward. And also I would like to hear, for everybody's edification what the Commissioner, having been working with the system for three years, whether he thinks that it has been a failure or whether he thinks it is a progressive step forward.

Mr. McKinnon: I don't want to keep repeating myself in the House and I think that I will have considerably lengthy remarks to be made on this motion on Monday and I hope that the House will be willing to listen to my remarks at that time.

Mr. Chamberlist: Mr. Chairman, I understood that we were going to complete the discussion today and then just wait for the vote on Monday but I see the point that the Honourable Member has made and I think that he should be allowed to make all the comments at that time. ...

Mr. McKinnon: I hope that my motion ...

Mr. Chamberlist: Mr. Chairman, I'm from the floor. Mr. Chairman, I am somewhat surprised at what Councillor Taylor indicated because we here are elected by the people, at least in the concept as it is now, of elected by the people here to the people. I would be surprised and very pleased to hear the Honourable Member from Dawson City say that the Commissioner is running the Territory and yet in over the last few months I have seen it announced that I am running the Territory. Now, I wish somebody would make up their minds and you know we can all decide who is the Chief Executive Officer because there is no doubt about it, according to the Yukon Act, Mr. Commissioner is the Chief Executive Officer. Certainly the concept is working because the Commissioner has indicated quite clearly and we on the Executive Committee recognize that this is why the concept is working. That Mr. Commissioner's position and decisions are made with the assistance and advice of the Executive Committee. And this is most important. The questions that have been put by the Honourable Member from Whitehorse North to Councillor Taylor have not been answered with really straightforward honesty because I say this for the simple reason, and I am not imputing dishonesty, I am saying that he hasn't answered it with the directness that he should have. The Honourable Member himself participated in the formation of the Executive Committee and its concepts. So it must be obvious that in November, 1970, he was in full agreement with the concept. Now because, as the Honourable Member from Carmacks-Kluane clearly asked for, that we shouldn't be discussing this, that there is another motion that I have some remarks to make with reference to individuals, I am not going to come into that area. It is a difficult area where we have two motions of a similar substance in the Committee at the same time. I repeat again, that the general idea of the concept as it is for the moving forward of responsible Government in the Yukon is sound. Irrelevant of who the make-up of the Executive Committee is. Now, it may be that tomorrow I might not be a Member of the Executive Committee, but indeed, the concept itself is a sound concept. And I will stand on my feet and say quite clearly, if I happen to be removed from the Executive Committee, that the concept of the Executive Committee as it is today is a sound one and if God forbid, that the Honourable Member from Watson Lake became a Member of that Committee, I would still say that the concept is sound.

Mr. Chairman: Sounds like the knight of the long knives. Any further discussion on this Motion No. 2.

Mr. Tanner: I did ask if the Commissioner had any comment on the concept and I would like to hear him say yes or no or make his observations.

Mr. Chamberlist: Very good.

Mr. Commissioner: Mr. Chairman, very obviously, my remarks can quite easily be misconstrued because you people are involved in a debating situation here, I don't think that I should be called to enter into that kind of a debating situation, but let me say this to you that insofar as the day-to-day governing process of the Yukon Territory is concerned in this day of 1973. It is absolutely impossible for the Commissioner to exercise his duties without a group of people that, in this particular instance are called the Executive Committee to whom he looks for advice. So, anywhere you want to, any kind of a sizeable corporation or anything else, there is some kind of an advisory group to the Chief Executive Officer that is available on a continuing basis, the days of any one

individual using their total individual's prerogative to make decisions that effect 207,000 square miles of the Yukon and the 20,000 people that live on it. These days have gone. It would have to be a group of this nature. A group was put together by myself several years ago at that time which consisted of my two immediate assistants and myself. The Minister has seen fit to add to that, two of the nominees from this Council. How you choose among yourselves to bring those nominees into that Executive Committee is a prerogative of this group. Until such times as there is some other format the Executive Committee format in my opinion is an absolutely necessary adjunct for the day-to-day governing of the Yukon. The question of how the make-up of this group is arrived at is a political question which I don't think I have any right to be making a comment on. I tell you that there is nobody who can run the Yukon Territory without having an Executive Committee or any other name that you want to add to it. That is part of the day-to-day advisory group of the system and the exercises of those duties. I say, Mr. Chairman, in all sincerity and I absolutely defy any of my predecessors who walk into my office today and have any ability at all to conduct the day-to-day duties and the day-to-day responsibilities that come to that desk without the assistance of that kind of approval. The Government of the Yukon today, Mr. Chairman, is called upon to provide a level of service to the public in the community that they would expect to find in an area many many more times heavily populated and much less in size than what the Yukon is. We are faced with providing a level of services that in a sparsely settled area to a very small population and we are providing those services, Mr. Chairman, in manner that no one has to be ashamed of. They are being performed, they are being dealt with basically and very efficiently and in a very good manner. Certainly, there is lots of room for improvement, let's make no mistake about it. It is no longer just some kind of a blank space where things, decisions can be made and programs entered into that simply have to be the fancy of one individual. They have to be entered into in the proper manner that is acceptable to the general public in which we live. At that particular point is where the input of elected people into this Executive Committee is playing a very important and necessary part as far as the Commissioner, today is concerned. Where it goes from that point, as I say, is a political decision that I don't think I have any right to be making any comments to you at this time. I want to make myself abundantly clear that there is just no way that the Commissioner exercises the responsibility as the Chief Executive Officer of the Territory without having available to him an Executive Committee, no matter what its make-up is in assisting to perform those duties.

Mr. Chairman: Is there anything further on Motion No. 2 at this time? Do you wish that I report progress on Motion No. 2?

Some Honourable Members: Agreed.

Mr. Chairman: The next motion will be Motion No. 3.

MOTION #3

Mr. Chairman: It was moved by Councillor Watson, seconded by Councillor Chamberlist, that in the opinion of this House it is in the best interests of the Territory that this Twenty-Second Wholly Elective Council shall continue in office until it has completed its full term. Proceed.

Mrs. Watson: Yes, Mr. Chairman, I think every Session of Council that we have had there has been a motion or expressions / discussions about dissolution. I felt that we should present the motion and leave it open for discussion and take a vote on it by the Members who are here in this House. We have approximately one more year in our term of office before the next Territorial election, in September of 1974. We are all very very hopeful that before that election the Minister will see fit to bring the necessary amendments to the Yukon Act which would enable this Legislative Council to be composed of a membership greater than that of seven. We all have different aspirations on the number of people who should make up the Legislative Council. Whether we are playing the number games or not, we all have one clear opinion on that - that it must be enlarged, whether it is enlarged by four or seven, will be discussed. I'm sure when we discuss the motion that was brought in by Councillor Stutter. Before an election can be held for a larger Council, redistribution will have to be made of the electoral districts. I am assuming that the amendments are made to the Yukon Act. If this Council should dissolve at this time, then we could possibly be tying ourselves in time and future of the Territorial Council for another four years to a membership of only seven. I think that everyone of us here should be giving very very serious consideration to the fact that we do not want to be purported to this. We only have one more year to serve and we should remain in this office so that we can ask, if the amendments are made to the Yukon Act, bring in the legislation which would enable the redistribution, so that at least we would have an enlarged Council, so that we could have greater representation eventually on the Executive Committee.

Mr. Chamberlist: Mr. Chairman, when each and every one of us was elected to this Council in 1970 it was with the full knowledge that the term of office to which we have sought, each and every one of us a mandate in our constituency was that we would serve on the Territorial Council for a term of four years. Mr. Chairman, that is a commitment that I made to the people that elected me. Mr. Chairman, as I have always done, I have kept my commitment in whatever I do, whether it be in my political life or my business life and I intend to do whatever I can to maintain a record of keeping commitments. Mr. Chairman, there is not a legislative body that doesn't have difficulty, but other legislative bodies are different, where they have, and it has already been indicated, a complete political entity in the structure of government. The history of Yukon Territorial Council since the inception of Territorial Council by the passage of the Yukon Act has showed that every Council that has been elected and the Members of that Council, as a Council in total, except for resignations or sickness or death have completed the obligations that have been imposed upon them to maintain their full term of office. I think, Mr. Chairman, it would be a failure on our part if we did anything, but maintained the responsibility and the commitments of each and every one of us have made. There is no doubt

that it would be the simplest matter indeed to ask for dissolution. There would be no doubt that there would be a new election. There would be no doubt that the damage done to the future growth and potential of this Legislative Body would be damaged beyond repair. It would be damaged beyond repair because those people who we are dependant upon have sought for the expansion and future development of the political life of Yukon. That is the Members of Parliament, the Parliament of Canada will say and are quite right, that there are people living in the Yukon who as Legislators have broken their commitment and I don't want that to happen. The Yukon Legislative Council is performing a very important function an example of many legislative -- features of legislation that have come forward and especially in the light of this Council have been of a nature that we have been able to say quite clearly that we as a body have brought forward legislation that has been people legislation for the benefit of the people. In this Session, this short session, we have brought forward a package of legislation and have passed it through that is a credit to this Council, that benefits the people of the Yukon in such a manner that it can well be the envy of every jurisdiction in Canada. I say this, we have got to show the public that elected us that notwithstanding the differences that exist from time-to-time, the pairing of legislative work is always there, we have acted properly in the formulation and package of legislation that benefits the people of the Yukon and we must maintain to do that. We have certain legislations that I'm sure the Honourable Member for Carmacks-Kluane would like to refer to, which are of vital importance to the people of the Yukon. I think that we should not interrupt in anyway the legislative programing that is to be brought forward prior to the next designated election in 1974. I would ask Members to give consideration to the remarks I make, not as remarks that are concerned for an individual because it is well known that I am not concerned about an individual such as myself. I am concerned that we who have sat here on performing the functions of providing legislation, that is all of us, should continue to provide that legislation until in due course a dissolution in the normal manner takes place. Thank you, Mr. Chairman.

Mr. Stutter: Mr. Chairman, what I am about to say is going to appear to be a complete paradox. If this motion is left worded exactly the way it is, I shall have no difficulty voting against it. However, if the motion had been worded in the opposite vain, that it would dissolve Council, I would have no alternative, but to vote against that also. Because, my feeling, and I have stated before, it is my feeling that we must have vital constitutional changes before we can have meaningful legislation for a legislative assembly in the Territory. In the Yukon Act, under section 9 at the moment makes it perfectly clear that one of the duties of the elected Council is for the appointment of an electoral district within the Territory. I believe that if we do nothing else once the constitutional changes pass Parliament and the necessary changes are made to the Yukon Act, it would then be our duty to make sure that these areas are covered to include the additional Members that will be voted to this Council. Once that has happened, I would gladly support any motion to dissolve Council and to see if we could get a Council in under the new constitutional reform. That is why, as I say, it must appear to be at this time a complete paradox. I don't believe that an amendment to this motion would be of any use because the only sensible amendment would be to take it, I suppose, in complete reverse in order to get an amendment through, it would require a majority and this in itself would dissolve Council and as I say, I would not support a motion of that nature either.

Mr. Chamberlist: Mr. Chairman, I wonder if the Honourable Member could explain the point again, that he couldn't vote for it either way, either as it is or either if it were amended. What is meant by that.

Mr. Stutter: Yes, Mr. Chairman. The way the motion is worded at the moment I feel is completely out of order. For the simple reason, it makes no difference, if I vote against this motion even one day, if Council were to be

dissolved one day, before the end, I would support that, provided the amendments were made to the Yukon Act. I cannot at this point say that I am going to support a motion to say that this particular Council will stay in office for its full term, right to the end of next Fall. For the simple reason, if the proper amendments came through to the Yukon Act I would vote to dissolve Council. The reason that I feel that this motion is out of order is because all Members around this Table know that any motion that passes this House can be undone by motion at the very next Session of Council that is in the complete reverse vein. We don't require to have a motion at this point to tell us to remain in office at any length of time. We are in office. Until something drastic happens, such as we lose a quorum or if we are kicked out of office we are here naturally, until the full term has expired. That is why I feel that this particular motion is completely out of order.

Mr. Chamberlist: Perhaps if I could point out, Mr. Chairman, to the Honourable Member that we are in office now, because the time of office is not completed at this time and this motion is simply asking whether or not Council wishes to complete its session. Now, the Honourable Member did raise a valid point and certainly if he wishes it can be amended and might I suggest that if the Honourable Member wishes to amend it that it read something like this, it is the opinion of this House that it is in the best interests of the Territory that this Twenty-Second Wholly Elective Council shall continue in office until after any changes have been made to the Yukon Act. I think that there is a way to overcome that difficulty.

Mr. Stutter: Mr. Chairman, I do have one point to make. I honestly believe that the reason this particular motion was put in was in actual fact to block a motion that you, Mr. Chairman, were about to put in. I really feel that if that motion were to be put in, I believe it would be defeated, that is my personal opinion. I think, that as I have pointed out now, in order to get that motion in by an amendment of this motion it would pass because it would require a majority to pass an amendment. It is too bad that your motion hadn't been put in, in my opinion.

Mr. Chairman: Councillor Stutter will you take the Chair.

Councillor Stutter takes the Chair.

Mr. Taylor: It is my intention to speak at some length. I understand that we will be speaking on this matter again on Monday so I will reserve both of my remarks until that time but I am still confused. I feel as I stated in the House, that the motion is quite out of order and that there is no question in my mind. I note in Votes and Proceedings where the intent of the motion says: "In view of the danger", this is the Honourable Member from Whitehorse East, "In view of the danger of Council itself being dissolved without necessarily having the approval of the Governor-in-Council", there has been a request made by way of a Motion to the Council of the Whole it complete its term. Now there is some - we are told here by Councillor Watson that this indeed is the intent of the motion but it was allowed. It says here the reason for allowing it is because whether or not this motion is accepted by the House, it has no legal force and does not order the House to do anything so there's just a whole mish mash of opinions on this motion. I agree with the Honourable Member it is out of order, it is ill-conceived, ill-timed and it constitutes another midnight amendment type of motion and again we have found out for sure now that this is a diving under cover motion of the three. I agree with the Honourable Member, I didn't proceed with my dissolution motion, there is another way of producing the motion which would have the same effect. I didn't proceed with it because I didn't think it would be supported at this point, in fact. That's the only reason but I will have more to say on this subject on Monday. I will now resume the Chair.

Mr. Chamberlist: I just bring to Mr. Chairman's attention a quotation that was made from the Votes and Proceedings by the Honourable Member himself if I recall.

Mr. Chairman: That is quite incorrect.

Mr. Chamberlist: Who made it then?

Mr. Chairman: I think if you will refer back to it, it says in my Votes and Proceedings anyway, Mr. Chamberlist was speaking and he was lauding the great motives of the Honourable Member from Carmacks-Kluane at the time.

Mr. Chamberlist: With respect, the Honourable Member read from two different parts and I don't have to look because my memory is sound and the references that were made were references that he had made in debate himself. But that's all right.

Mr. Chairman: Just to clarify the matter that this very sound minded person who has just last spoken, my copy says "Mr. Speaker says".

Mr. Chamberlist: Who said it.

Mr. Chairman: Mr. Speaker. The Committee is back to order. Is there anything else at this time on Motion No. 3? If you wish, I will report progress on Motion No. 3. We will proceed to Motion No. 4.

Mr. Fingland: Mr. Chairman, could we have Mr. Legal Adviser here please. Thank you.

Mr. McKinnon: It would be much appreciated if Mr. Commissioner were here too, Mr. Chairman.

Mr. Chairman: I will declare just a brief recess.

RECESS

MOTION NO. 4

Mr. Chairman: At this time I call the Committee to order. We are now at Motion No. 4, moved by Councillor Stutter, seconded by Councillor Tanner that the Municipal Ordinance be referred to Committee of the Whole at this Session of Council in order to review certain sections so that possible amendments or additions might be considered.

Mr. Stutter: Mr. Chairman, I asked to have the Municipal Ordinance to be put into Committee of the Whole for very obvious reasons. I think there are several areas in the Ordinance that have just been in existence for a little better than a year, need to have another look or a second look taken at them. I only specifically have three main areas that I am interested in but other areas may be of interest to some of the other Councillors. I am not only bringing these points up because of what is happening in the difficulties between the Senior Government and the Municipal government of Whitehorse but also because of some points that have been raised by some people that are in my area. If I could just mention the three points that I have and then leave those up for discussion. The first one is a relatively minor one and that's under section 29(2) which states "The presiding officer shall not be entitled to vote except for the purpose of breaking a tie". I would personally like to see that particular section deleted with a view to all times knowing just what the feeling or what the stand is that the presiding officer takes. I would like to hear some comments on that. As I say, that one is not of grave importance but the ones that are of concern are 81(3) which reads "In addition to any other penalty to which he may be liable, any Member of the Council who votes for any by-law or resolution authorizing the expenditure of monies contrary to the provisions of this Ordinance is disqualified to hold any municipal office for a period of five years from the date of his voting on such by-law or resolution". I think that we will all have to agree that no matter which side of the fence you are on with regard to the

present argument going on in this House, it has been stated by both the Executive Members and I am sure it is the feeling of other Members at this table that no matter what has happened, the five Aldermen that resigned in some way or another, I think, did not do those actions willingly and, therefore, I shouldn't say the actions of resigning but the actions leading up to their resignations I think were not done with their full knowledge and full awareness of the consequences and I would certainly hope that something could be done either to this particular section or something can be done to relieve them of that burden or that penalty so that they might run again. And even if they can't run again, so that good, honest, hard-working citizens will be interested in running again for Municipal Office. The other one point that I would like to make or have discussed, is 82(1) and this is the one that seems to be in the gray area in everybody's mind. We passed the legislation and this is the one that permits a certain amount of money to be used without going to the people and it's based on a 3 mill assessment. I think we should be a lot clearer in the legislation, we should spell out in the legislation exactly what we mean by that 3 mills whether we mean it on the total assessment including properties that for some reason are forgiven taxation or whether it be on properties from which money is forthcoming to the City. I think that we should spell that out, we could change it to a higher amount if we wanted to but I think in any event let's make it clear so that we don't have to have another Hobbs Inquiry to see exactly what we as legislators of this Territory meant when we passed the legislation. Those are the only three points that I have and I would like to hear some discussion on all three of them. I have my own particular views on them as I stated as I went along, my views are to change all three of those sections, possibly deleting 29 and changing the other two. Thank you, Mr. Chairman.

Mr. Tanner: I second this motion for two reasons, Mr. Chairman. First of all, I agree basically with what the last speaker said but I have one particular area that I am interested in and that is 81(3) as well. It seems to me that as far as 81(3) is concerned, that there should be somewhere in the legislation itself words to the effect that there's to be intent to defraud or intent to gain personal financial gain because I think the point has been made in the last two or three months in the press and by various Aldermen that the fact is that in the present circumstances in which they found themselves, they made a decision in good faith, irrespective why they did it or what's gone on in Council the last few days, they made in their opinion a decision of good faith and it seems to me that there has to be some burden of proof on this legislature and the people present in this legislature to show if they did something in bad faith, then they should be prosecuted but I don't think anyone argues that, but if they did something without any intent and there is no personal gain by whatever they did, I don't think they should be penalized to this extent. I would suggest to Committee where it's dealing with it that we go through the three sections in numerical order, start with 29 and then to 81 and 82 unless any other Members have any other sections they want discussed.

Mr. Chairman: What section did you want first?

Mr. Tanner: 29(2).

Mr. Stutter: Mr. Chairman, my feeling is that I would like to see that section deleted completely, that is 29(2).

Mr. Chamberlist: I wonder, Mr. Chairman, if we could ask of Mr. Legal Adviser an opinion as to the purpose for this type of section in this legislation.

Mr. Legal Adviser: Opinions differ from province to province. In the original draft of this legislation which is being considered by the Government, there was a subsection which said that the presiding officer shall vote, the intention being to force it according to the presiding officer into declaring his point of view.

During discussions, this was changed into what happened in some of the provinces which is that the presiding officer does not in fact vote, leaving the analogy to the Speaker of this House who does not normally vote or discuss. It's option in the legislation to put it either way depending on whether the House wishes that the Mayor of the City be forced to vote each time and it would then have to have another section if you were going to that, to say that any question does not vote shall be deemed to poll it in the affirmative for the motion, that then means - makes it an invalid payment. They must absent themselves in the care and interest or else they would be deemed to have voted and the resulting consequences.

Mr. Tanner: Mr. Chairman, all Members will recall that when we discussed the Municipal Ordinance that we went around and around on this one, two or three hours. I personally have no opinion on it. I think the onus seems to work fairly well.

Mr. Chamberlist: There is only one area where I think in the instances that we have had before us, it would have been far better in this situation, notwithstanding the force to declare his position on any one of those votes that come forward. Because by not voting, he has been relieved of the responsibilities that have been attached, and again this is where five good men have been duped into a position. There is that I think consideration should be given to it but this again is something that the Legislative Programming Committee, now that we've heard what has been said, should have to give consideration to it.

Mr. Commissioner: Mr. Chairman, I simply speak from the point of view of being involved in meeting situations where relatively small groups of people are called upon in decision making process and it would appear to me there's very much merit in the retention of a Chairman who attempts by his neutrality to allow the question before that particular group to be considered another day. Now this is the general terminology used and I think that Mr. Legal Adviser would agree with me on this, in legislation situations. Now I really think that the question that Honourable Members should try to keep in their own minds here is what we are saying in this Ordinance "that all acts authorize a report be done by Council, shall or otherwise provided in this Ordinance be done or decided by a majority of the Members of the Council present and entitled to vote". It may well be that what we are saying in No. 1 here makes No. 2 a rather redundant section because it would appear to me that if a Member of the Council and the Mayor is a Member of the Council, he is required to vote under No. 1 and then except it says here in No. 2 that he shall not be entitled to vote unless for the purpose of breaking a tie. I think this might be well -- but on the other hand, Mr. Chairman, I think the question is whether or not we would like to see the Council of the Municipalities wherever these rules apply to come down with finality at the time the vote is taken or whether we want retain legislative prerogative for them in which the presiding officer has the opportunity of seeing that the matter can be held over and discussed another day. I think this is really the philosophy that has to be decided.

Mr. Legal Adviser: Mr. Chairman, there is a slight distinction that the Commissioner didn't bring out. There is a major difference between voting in a City Council and voting here. The City Council is in fact an executive body as well as being a law-making body. This Council here is only a law-making body so there is a slight distinction on both: The particular type of vote which is being produced. For instance, if the City Council is making a by-law relating to the control of snowmobile, then it is a legislative body. When making a by-law which is authorized in the borrowing of money or the expenditure of money, then it is an executive body which makes quite a difference. They don't vote precisely the same as this House would vote.

Mr. Tanner: Just one question now of the Member from Dawson. Was this brought up in the Dawson City Council, the debate of the problem?

Mr. Stutter: No, not this particular point. It's just one that I have heard bandied around by different people. It wasn't particularly brought up by any Member of the Dawson Council.

Mr. Chairman: What is your pleasure in relation to 29?

Mr. Stutter: As I say, this one was not as important as the other two. It is just one that I have thrown in because if we have the opportunity at this point to look at others and I'm quite willing to leave this one to let the Executive Committee take a good look. I don't think that it is as critical as the other two.

Mr. Chairman: We will then proceed to section 81(3).

Mr. McKinnon: Mr. Chairman, I hope that we can get through the debate of the Municipal Ordinance without bringing personalities, without bringing what has happened into it and if the Honourable Member from Whitehorse East wants to think in his own mind that people were duped or not, I think that should be irrelevant to this debate on the Municipal Ordinance to the changes to it. I think that one thing that comes out, I think from what I have heard around the Table that all Members of this Council agree with and I think that these people of Whitehorse and I believe the people from the Yukon agree with and Mr. Hobbs and his party seems to be agreed with whether or not they believe the people. The Aldermen received bad advice and not from their adviser.

Whether they did something which they shouldn't have done is really irrelevant in this argument. The one thing is, should a Municipal Council who receives advice from people who act upon the authority of that advice, who every one acts in what they consider to be good faith, should they be responsible then for their action in a Court of Law. I have a problem in saying that they should be, I think that under 81, if it remains as it is, that there is going to be a thirst of good people who are going to allow their name to stand for election to public office. The reason I say this within the complexity of our society, that you just can't move anywhere without first speaking legal advice. For every legal opinion that you receive, there is another legal opinion that goes completely contrary to the first legal opinion that you receive. I think that this is a point of a real detriment to twentieth century living. I am sure that this is perhaps one rule and regulation that the Yukon Territory could make to the Bar Barristers and Solicitors from the 207,000 square miles of the Yukon Territory, we perhaps be quite better off than we are at this present time. The facts are there, that a person cannot be expected to be an expert in every facet of life when he comes to the Legislative Council. If he makes a mistake, he makes it in good faith, goodness knows. We received enough bad advice from our own Legal Adviser to know that you do not always receive good legal advice from every legal opinion whether they happen to be working for the Territorial Government or whether they happen

to be in private practice. Now, certainly, how can we make that person and the House of Commons take care of this in matters such as that. That person is not liable for the prosecution if he has acted in the matter in which I speak. I think that we have to be generous enough to be able to pass particularly at this time that we are living in, that immunity to a Municipal Councillor and, of course in no way, I try to make these remarks applicable to where a person is definitely criminally liable that he has done something with full knowledge and willingly has gone out to do something which is a criminal action and something which is not in the best interest of the citizens of the municipality that he represents. But, certainly, we have to find some method of making a person who unwillingly makes a mistake not to be liable in a court of law for that mistake which he made, thinking it was in the best interests of the people which he was elected to serve and upon the best advice that he could get at the time. I am particularly worried, being in business and knowing the complexities in which we deal and how many times, every time we turn around, it seems that we have to consult our lawyer. That has to be removed from hanging over the head of a person to allow his name to stand for public office and certainly legislature of higher authority have recognized this fact and have passed statutes dealing with those Members of that Legislature just to take care of this matter. I think it would behoove this legislature at this Session to come up with some sensible amendment so that we will not have the problem of finding people which we think are good representatives for the next municipal election.

Mr. Stutter: Mr. Chairman, I feel that as well as agreeing with most of the comments that have just been made that surely once it is pointed out that an elected Member or an Alderman in this case who has made a mistake, the public then somewhere along the line, judge in their own mind, whether or not that mistake was made intentionally or with some personal gain in mind or whether it was an innocent mistake and these people, the public, are the people that in a long run determine whether or not that person holds office any longer beyond that present term, that is his office. I really feel that this particular section doesn't have to be in there. I don't know whether it is in all Provincial Legislation or Municipal Legislation or not but...

Mrs. Watson: Mr. Chairman, I have heard a lot of garbage fall from the mouth of the Honourable Member from the Whitehorse West, but that was just about the most. You know full well that the public have to be protected and that is up to the Senior Government to provide protection of the taxpayers' money through the legislation that we put out for the operation of the municipality. Now, how are you going to put in legislation, a clause where you can say, you are opened to a penalty if you meant it, if you didn't mean to do it, you are not opened to a penalty. I would like to see the lawyer who could draft some type of a clause like this. This type of clause is in every Municipal Ordinance across the country and just because at the present time, we have been involved in an emotional situation in the Yukon Territory, let's not get carried away and lose our heads completely. There is a great deal of money at stake in the operation of any municipality. These people are responsible and they are talking about by-laws, money by-laws. These people have to be responsible for that money and there has to be definite penalties stated in the legislation under which they operate. There is just no other way.

Mr. Stutter: Mr. Chairman, there are restrictions in the by-law that do bring penalties on Aldermen or Members of the Council that do violate sections of the Ordinance, and this particular section 3, somebody has suggested that any of the other sections to this point at least be deleted or changed, but section 3 is the only one dealing with holding office for a five year period. It in itself, doesn't lessen, and we are not suggesting that any of the other

penalties be removed or lessened in this instance.

Mrs. Watson: Mr. Chairman, this section refers to the expenditure of money and this is where the people need protection.

Mr. Chamberlist: Mr. Chairman, might I say this, that in considering this, I have already said that some efforts, and I said that I will do everything I possibly can to relieve this certain situation for this time, and it is my suggestion that it be left to the Legislative Committee to examine how it can be done, for this time, and I am sure all Members must agree with the Honourable Member for Carmacks-Kluane that the section of this description must remain in the legislation, to protect the public against those who deliberately commit an offence. It is not something that is just peculiar to the City of Whitehorse or the Municipal Ordinance of the Yukon Territory. It is exactly the same class of words that are used in every piece of provincial legislation and also in the legislation of the Northwest Territory. So, although I can think quite clearly, and I have already said it, and I repeat that I will not support the removal of this section, but I will do whatever is necessary to bring about an amendment so that this particular kind of people be relieved of this situation that has been carried out.

Mr. Tanner: Mr. Chairman, that is not what we are asking for. It is this particular situation, all it has done is bring it to the attention of this legislation is that a change, in my opinion, irrespective of what the Member says, it has to be made. I agree with the Honourable Member when she says that the public should be protected, a 100 percent, they should be, but when a decision is made, I don't argue about it, but when a decision is made in good faith by any City Council and it turns out that it didn't work out, they shouldn't be penalized for it if there is any other way you can get around it, it is as simple as that. I have asked twice now, and I wish somebody would table or bring in here, the other legislation of the other provinces so we can have a look at it and consider it, because it is pertinent to this particular argument.

Mr. Chairman: I wonder if Mr. Legal Adviser would make any suggestion at this time without any commitment being made as to what can be done in this particular area that Members of Committee are talking about without taking away these principles that there must be these protections afforded to the public. It is in Committee for discussion, we might as well have it discussed that way.

Mr. Legal Adviser: I am at a loss, I'm not sure what exactly the Members are trying to achieve, it appears to me that different Members are trying to achieve a different object. As far as this section is concerned, merely taking out this section does not do anything about the disqualification which has already been incurred. The mere repeat of this section does not affect that. That is if disqualifications have in fact been incurred, that would mean a special Bill passing through this House to remove the effect of the automatic operation of subsection (3) which operates automatically. One thing that could be done in respect of the section, which I think we will all agree with is to adopt the Ontario section which adds in another section which says that the disqualification should only operate if somebody makes an application to the High Court for an Order, in other words, the Hobbs' Inquiry wouldn't have been necessary, the quo warranto action wouldn't have been necessary. You would make a simple application to the court by declaration of disqualification came to operation with evidence and it could be defended which would be quite a different thing than having an automatic disqualification. As I remember it, one of the difficulties of the government's state was, without having some form of court intervention, or an inquiry intervention, it would state with making a legal construction of this section and try to ascertain for itself without the intervention of a court, did we have a City Council at all or did we not. So, visualize

something happening next year, and two or three of the Aldermen vote for a particular subject which causes a dispute. We go back where we started from, we have to move in court or a quo warranto Order against them again having a harsh effect and it is clearly understood that to be in attack on an individual who voted, there should be some method of going to court, but so far as repeating the section, the House has to make up its own mind. Does it want a section carrying this type of penalty or does it not, because one of the Honourable Members suggested that there is a difference and I think we all realize the difference. If somebody who sets out deliberately on a course of conduct which is either fraudulent or self-serving or illegal to his knowledge, I'm against a person who having obtained what he considers suitable advice and he could get it in very many sources because all advice is legal; the engineering's advice or it could be architectural advice, campaign advice and so-on. All these advices are available and if the Adviser makes a mistake, if a person goes on with it, then the person who cast the vote is in fact responsible. So, the same thing happened in our type of government, our Cabinet Government, in that the Cabinet Government doesn't itself but the Executive Committee doesn't itself have the capacity to examine every single piece of information that comes to it and have an affidavit to swear it is true. They act on the advice, a report made by an inspector or whatever experts or consultants come in from outside to advise on a Court of Action. I mean, the City Council, I know different Members can attend to everything themselves. But, I myself would find it extremely difficult to draft a section which would make such a differentiation between something which was illegal per se and was illegal with intent of fraud or self-serving interest. It is quite a difficult concept, it would be extremely difficult to do a single section. It perhaps would give a reasonable indication of which direction it wishes to travel then perhaps a draft, say these local government people, the Executive Committee, the Legislative Programming Committee could fit together something to formulate the policy and crystalize it in clear language as far as that can be done, and it is extremely difficult to do. A worthy thought is difficult to obtain in clear language.

Mr. Stutter: Mr. Chairman, I believe that the point that was raised by the Member from Carmacks-Kluane is adequately covered already in 81(1), and nobody is at this point suggesting that it be changed. I would just like to read it. (Reads section 81(1)). Most people sit up and take notice when they know that it is going to effect their pocketbook. Probably more so than the deterrents that I am suggesting be modified and removed, and that is in number 3, that they shall be excluded from holding office for a five year period. This is a further penalty over and above that imposed in 81(1) - the one that hits them in the pocketbook and makes them personally responsible for those wrong decisions that they have made. And I honestly feel that from the taxpayers' point of view, that the protection comes much more in 81(1) than it does in a deterrent from holding office in 81(3).

Mr. Tanner: Mr. Chairman, my hang-up is just that. 81(1) is just as bad, in fact I think worse. You need the protection of the public. Yes, anyone who runs for municipal office should be responsible and make responsible decisions, but how and right somebody who make decisions for, as the Legal Adviser says, to line his own pocket, but what do you do about a case that is done in good faith? Why should a person who makes a decision like that have to be penalized? That is my argument. Is there some way that it can be written into law? Honourable Members will remember when we had a piece of legislation here two Sessions ago where we have to have brothers related to our brothers...

Mr. McKinnon: Couldn't understand a word of it.

Mr. Tanner: Agreed. It went on for four pages of it. Now if the Legal Adviser could draft that, he would have no difficulty at all in drafting this.

Mr. McKinnon: That is the point exactly, Mr. Chairman. Here we act upon the advice of the expert that we have hired and the Government of the Yukon Territory are paying. They say, it is no problem, it is conformity of legislation, it is just like our brother lawyers who talk all the time, you can't understand a word of it, all garbage, but accept it in good faith because there is no problem at all with. We could come here the next day and somebody say, you know that Ordinance that the Legal Adviser told you was so good to have, you are liable for \$100,000 because you passed it and there is a suit starting over here. You dummy, why didn't you understand it before you passed it? What choice have we got? Nothing. No way. Now any person can go and run for Territorial Council. He has his wife and his family, he is a solid citizen, he has been here for 20 years. He listens to the gobbly-goop of a town planner, he listens to the gobbly-goop of all the Legal Advisers, he goes and listens to the gobbly-goop of financial experts, to everybody. They are all pressuring him. He says, boy, I have finally made the decision. You guys are all right, I am going to vote along with this money By-law, and the next thing that happens is that he has a suit on his hands for the court, he is liable for \$100,000, he could lose his home, his everything, just because he had the responsibility of a good citizen and running for public office. The law is wrong when it does that to a person, the law is getting worse instead of better. Everytime you turn around you run into some expert you can't understand and he is giving advice and he says, 'look I would like to speak a foreign language to you whether I am a sociologist, a technocrat, a technician, but anything, but you have to accept my advice because I am getting paid \$50,000 bucks a year of the taxpayers' money because it has to be good advice.' Where do you stand. You mean to tell me that every Member here understands every piece of legislation that goes. I am here to tell you that I agree with the Honourable Member from Whitehorse North, I didn't understand two sentences of that garbage that you put in front of us a couple of years ago and we passed it. I would be liable for that. I pay you for good advice and by golly you had better give it and if you don't give it to me, you should be liable for it, not me.

Mr. Chamberlist: That was a very good point. I think that the person who gave that bad advice should be the one who should be liable for that. With respect, Mr. Chairman, we started off on a very low key on this and the Honourable Member himself intimated that we shouldn't raise our voices, or get emotional with this thing and just deal with the Municipal Ordinance, so let us just do that. Let's calm it down, my Honourable Colleagues, let's calm it down. I agree that there is a little bit of difficulty here and I would suggest that we can discuss this and see if we can work something out on this. I agree with that which the Honourable Member of Whitehorse North and West, that the capabilities of the Legal Adviser should be able to come and suggest a particular area, and I think he will be capable of doing it, because notwithstanding that the Honourable Member says that we get bad advice, I think that the majority of the advice is good, sound advice. So I think perhaps if the Honourable Member from Dawson, now that we have discussed this particular point, we can leave it so that we can take a look at it.

Mrs. Watson: Mr. Chairman, contrary to what the Honourable Member from Whitehorse East has said, I don't feel that we should leave it, I would like to get just a few more remarks in. Thank you. When you look at the Municipal Legislation, across every province. Now, they have had municipalities and these jurisdictions much longer than the Yukon Territory, and they have had legislation for these municipalities much longer than we have had here. And I am sure that they have been bringing in amendments as they have been required and their Municipal Legislation has been tried over a long period of time and it's still in every jurisdiction, they have a clause like this. And if they had seen over all those years that it was plausible even to delete it, I am sure that this type of a clause would have been deleted from the legislation. I think this is a very very serious

consideration before we embark upon such a route, because I think we could well lose the day. I am not in any way implying that the situation as it exists here in the City and with the City Council, that isn't clouding the issue at present at all, because as the situation exists today, those Aldermen are capable of running for office. There is no corrected legislation required. And I think we should be very careful about deleting this type of thing from our legislation.

Mr. Chamberlist: Mr. Chairman, I will agree, and at this point, there is nothing to say that these people are disqualified at this time because the action against them as far as the Government is concerned, has been declared by arrangement that the action has been stayed. And I must say that the Honourable Member from Carmacks-Kluane is quite right. The only danger of course is that if an individual still wants to start an action against them, if they start it, well then, the only thing to do is to let them run. And we want to get a City Council operating as soon as possible.

Mr. Chairman: Is there anything further on 81(3)?

Mr. Chamberlist: I would like to make this point, Mr. Chairman completely clear and on the record. That the Government of the Yukon Territory has no intention of placing any impediment in the way of any of the former Councillors or Mayor in placing their names on the ballot at the next City of Whitehorse election. I would like to follow this one point if I might. Is there any legal or any jurisprudence to stop them running right now? We are not putting any impediment forward, but as I have indicated, it is the prerogative of any individual to start an action at any time about anything, about stopping somebody for walking down the street, you can't prevent an individual from starting an action. That is the point, and there is no way that I can indicate whether or not anybody would, all I can say clearly is that the Government of the Yukon Territory is not interested in restitution or placing any impediment in the way of any of the former Members of City Council of Whitehorse of running.

Mr. Tanner: Mr. Legal Adviser, could you give us an indication of whether there is anything in the courts that would stop the five Aldermen who resigned from the City of Whitehorse from running the next civic election?

Mr. Legal Adviser: No, Mr. Chairman, they are perfectly free as far as the law is concerned to run in the next election and in the one after that short of someone taking an action against them, but in the law at present, they are perfectly free to run.

Mr. Chamberlist: Now that we have cleared that out of the way, let's get back to this thing again. I don't think we should take it out because I think the public should be protected. But I do think, it is impossible for an Alderman, on the best advice in the world, to make a decision which he is responsible for in the best interests of the public, in all good faith with no advantage to himself and then end up paying a fine for doing so, and I think somewhere or other you should write it into the Legislation to protect the Alderman himself against making the right decision. Isn't it ironical? What I am saying is that we are trying to write Legislation that protects an Alderman from himself. But there has got to be some why or other that we have to be able to.

Mrs. Watson: That is exactly what you said.

Mr. Chamberlist: But I meant it, too.

Mr. McKinnon: Mr. Chairman, what I think it boils down to is that the majority of this Council thinks that section 81 under its present terms is unfair. I for one do think it is unfair. I think it is going to prohibit people from running for office, they are going to take a second, third, and fourth hard look on whether it is worth their while being a layman and not being an expert in any field except a good citizen on Whitehorse to let their name stand for office. God forbid, I would think you are going to end up with seven lawyers on City Council. Then see if anything gets done or not.

Mr. Chamberlist: Never.

Mr. McKinnon: Right. And that is the only person who is going to be able to protect himself, to put motions and God knows what kind of orders in so that nothing gets down but everybody is protected from themselves and they will never have to be sued or have the chance of being sued. That is not fair. The majority of Council feels this way, I for one do and I think that the majority does and we should instruct the Legal Adviser to try and amend section 81 so that a person who not knowledgeably and through no attempt at trying to make any money on the side of the table, yet caught because of the advice that he has listened to as a responsible Member has made a wrong decision. That it is in a nutshell and we are going to preclude citizens in Whitehorse from running for office or for any other municipality in the Yukon. And it is going to be a shame when we see the whole country finally given over to the lawyers. That is what is going to happen eventually.

Mr. Tanner: Mr. Chairman: Just a small point here. There are seven of them down there in that City Council and there are seven of us up here. Why aren't the same things imposed on us up here? What makes them that much different?

Mr. Commissioner: With respect, Mr. Chairman, this is exactly the difference. This is a legislative body, and it's functions are confined to legislation, whereas the Legal Adviser pointed out a few minutes ago, the City Councils and the Village Councils in the Territory combine their legislative and administrative functions, and this is exactly where the difference lies.

Mrs. Watson: Mr. Chairman, I would differ with the Honourable Member from Whitehorse West, again, I am sure that there will be no lack of available people who will run for office at the next City Election. I don't think they will be deterred one little bit. They know that they will have to rely on their advisors, but they will make sure that their advisors stay honest and if they are not honest, they will have to do something about it. It will probably mean that they will be a bit more cautious. I would like to take a case in court too, where you can stand up and argue and state that you did something wrong on City Council but you didn't mean to do it. How are you going to write legislation for this? So the person who gets drunk, runs over and kills a child, and says, I didn't mean to do it. Do you think that there are special concessions for this in law?

Mr. Tanner: Mr. Chairman, the Honourable Member has made a good point. How many cases in the last couple of years have you heard in this Court where people have been killed by somebody who is drunk. I'd hate to say the word, they weren't penalized very strongly because he had the excuse of being drunk.

Mr. Chamberlist: Mr. Chairman, there is another thing that one must think of. If you take it out completely, it would be different. The section itself is there, I would say, not only to protect the public against unscrupulous people, I think it is there as well to protect the public against people who have continually accepted bad advice knowingly. Now, I must at this time say whether the advice that was accepted was knowingly or unknowingly, but certainly, it has been proven that the advice given was continually bad advice. I would like to see these people get elected again, go back into office and fire those people, all of them who were responsible for giving them bad advice, and that is my honest opinion.

Mr. Tanner: Mr. Chairman, I think I have the answer to the problem. I think that if they stay drunk all the time, they can be excused.

Mr. Stutter: Mr. Chairman, I have one more point to make and that is that they delete this particular section. It seems ironic that if an election had to be held four years and eleven months after the time that these

men have been disqualified, if they were at this point disqualified, they wouldn't be eligible to run, but if there was an election five years and one week afterwards, they would be eligible. In that three week period or that five week period, does that turn them to honest men?

Mr. Chamberlist: I think that we should take a look at this, and do something about it.

Mrs. Watson: Mr. Chairman, I can assure you that mine will be a very jaundice look.

Mr. Chairman: We are clear for the moment on 81(3). The next one I believe is 82(1).

Mr. Stutter: Mr. Chairman, I do not think that 82(1) should be such a big stumbling block. I really think that all we have to do in this particular one is spell out just exactly what we mean on what part of the assessment role, whether it is on the role, I'm sure you know what I mean and I can't exactly express which part of the role, but in any event let's be absolutely clear so that we will know in dollars and cents how far they can go.

Mr. Chairman: Any further discussions on 82(1)?

Mr. Tanner: Mr. Chairman, what would be... I do not have my copy at hand... What did Hobbs come down with on that particular paragraph?

Mr. Stutter: Mr. Chairman, I would like to raise the point, but I really do not see that it matters. The thing is what do we want in this particular instance, it doesn't really make any difference what Mr. Hobbs found that his interpretation of what we were trying to put forward was. It is what do we want.

Mr. Chamberlist: I wonder if Mr. Legal Adviser can give an explanation in his very limitable manner of what he thinks...

Mr. Legal Adviser: Mr. Chairman, it is very clear to the Commissioner, it is clear to Mr. Hobbs, but it isn't clear to anyone else. The reason of the doubt is because we talk about raising a levy and we can only do that on taxable property, not on property which is assessable, but non-taxable. Mr. Hobbs found one way, other people believe the other way. If the Ordinance is being opened, but only if the Ordinance is being opened, I would support some form of words to make it clear what is meant by the section beyond any form of doubt requiring the Hobbs' Inquiry. But I wouldn't recommend opening the Ordinance just for that purpose alone because we already have a declaration from Mr. Hobbs as to what it means.

Mr. McKinnon: With respect, for all clarity. It took all of Mr. Hobbs two pages to come up with what was meant and then he finalized that there was much to be said on both sides of this particular argument. If that is clear, it may be clear to lawyers again, but it sure isn't clear to the laymen. What are we talking about? We have Mr. Hobbs who is acknowledged and is a fine legal mind came up, spent time and wrote us a two page decision just on those words alone. Still says there is much to the arguments of both sides. Everybody is clear on it. I'm telling you, I am more and more amazed at the thinking of people ...

Mr. Stutter: Mr. Chairman, since the Commissioner is so clear in 82(1), I wonder if he will tell us just exactly what it is in terms of money, let us say, for the City of Whitehorse.

Mr. Commissioner: That is exactly how you calculate it, Mr. Chairman, if you know when you come up with the City's budget each year, you clearly indicate what one mill will rate. Because that is how you determine to get the City Council to say how many mills they are going to levy. This simply says that your borrowing power or the money that you

can spend in any one capital expenditure is the sum of what those three mills for that year adds up to. It couldn't be clearer.

Mr. Stutter: A supplementary question, Mr. Chairman, then why was it necessary to have the Hobbs' Inquiry?

Mr. Commissioner: That wasn't a derogative of mine. Somebody asked for the inquiry, not me.

Mr. Chamberlist: On page 27 -- 26 and 27 of the Hobbs' Report, Mr. Hobbs said that are we dealing with the words assessable property unrelated to the context in which they appear, or are we dealing with the expression of the levy of three mills on the assessable property. If we are dealing with words assessable property unrelated to the context to which they appear the assessable figure is 63 million etc., from the other hand, we are dealing with the words a levy of three mills on the assessable property the assessable and taxable figure is 43 million. He does say that you can look at it any way you want, but he says this, why agree that there is much to be said on both sides of this particular argument, I find that we are dealing with the words, the levy of three mills on the assessable property. Now that is the key word. The levy of three mills. Which in my view goes on to say may remain in this particular context, the levy of three mills on the assessable and taxable property. It goes on to say that it shall be deemed to be a money by-law. That is the end of it. This is what he has done with it. If there is any doubt in the public's mind or the Members of the Municipal Council might perhaps, as the Honourable Legal Adviser indicated, might take a look at it and see if something can be done. Again I suggest that now we have had the points raised on it, he can take a look at it.

Mr. McKinnon: After two pages of argumentation and then Mr. Hobbs comes up and he says finally I would say we are dealing with the words, the levy of three mills on the assessable and taxable property. Why isn't that the phrase that is included in the Municipal Ordinance which would have saved two pages of problems for Mr. Hobbs and would have saved a lot of problems that have emanated at this point with the Municipal Ordinance.

Mr. Tanner: Does anybody have any objection to add, behind property, and taxable. Is there any objection to this, is it clarification?

Mrs. Watson: Mr. Chairman, I don't have any objection ... Be raised by the levy of three mills, they don't levy a taxation on the Territorial or Federal Government. They know that. Raised by the levy.

Mr. Chairman: What is your further pleasure?

Mr. McKinnon: Mr. Chairman, do we have the agreement from the Members of the Government that they are going to look at section 81 and 82 with a view to bringing in amending legislation at the next Session of Council.

Mr. Chamberlist: Certainly we are going to look at sections 81 and 82. Now that it has been brought to our attention. The Government's side always looks at everything that is requested by this Council.

Mr. Chairman: Do you wish me to report progress on this matter? Now shouldn't we be reporting progress on 4 because 4 was passed into Committee as a matter of the motion content. Will we consider then that the matter is completed at this Session?

Some Honourable Members: Agreed.

MOTION #5

Mr. Chairman: The next item will be Motion No. 5.

Mr. Stutter: Mr. Chairman, on this particular one on constitution reform, it is one that I feel quite strongly about and is one that I think or hope that will come about in any event, now that the wheels have seemed to be put into motion, by the recommendation or the report on the Standing Committee of Northern

Affairs when they gave the report as I read into the records the other day, on May 22nd recommending that the request of Motion No.40 be adopted. I think at this point that it would be very dangerous to get into any kind of a number game or any kind of specific motion to the Minister of Northern Affairs. I think we have to be general enough and yet show unanimously, I hope, support that we are all pressing for this type of constitutional reform. I have sort of a draft, call it a motion if you would, it is very general, but may achieve the purpose and that is, that this House urgently requests the Honourable Jean Chrétien, the Minister of Indian Affairs and Northern Development, to arrange for the necessary legal formalities to be completed by the Federal Government respecting the forthcoming constitutional changes in the Yukon Territory in sufficient time to enable those changes to take effect at the next Territorial election in September 1974. This may appear at first glance to be a nothing motion, but I think that it does tell the Minister, that whatever was started in the motion, that we are right behind it. We want to see these changes and we want to see this brought about by September, 1974. I for one don't want to get into any specifics at this time because I surely know the direction that we are heading in right now, and I think, that if we got specific, it would do nothing but muddle us. That is why I have come up with this sort of a draft proposal or motion. I would like comments from other Members on it.

Mr. Chamberlist: Is there any possibility of having a brief coffee break so we can look at it.

Mr. Chairman: I wonder if the Member would allow photo copies to be made of it, it will just take a minute and I'll just declare a very brief recess.

RECESS

Mr. Chairman: We are discussing Motion No. 5, which has been carried in the House and is now in Committee. Proceed Councillor Stutter.

Mr. Stutter: The motion, I will now put it in a form of a motion arising out of Motion No. 5. The motion, I don't at this point have a seconder is ...

Mr. Chamberlist: You have six people here to second it. Take your pick, who do you want?

Mr. Stutter: It makes no difference. That this House urgently requests the Honourable Jean Chrétien, Minister of Indian Affairs and Northern Development to arrange for the necessary formalities to be completed by the Federal Government respecting the forthcoming constitutional changes to the Yukon Territory in sufficient time to enable those changes to take effect at the next Territorial election in September, 1974.

Mr. Tanner: There's one minor problem, of course, he does really need -- he doesn't need anything at the next Territorial election in 1974. The next Federal election might not be until next fall.

Mr. Chairman: Who do you wish a seconder to this motion?

Mr. Stutter: Whoever seconds it that is fine.

Mr. Chairman: Any further discussion on the motion?

Mr. McKinnon: Mr. Chairman, I have no trouble at all with the motion except the point that the Honourable Member for Whitehorse North made. I am not going to bind myself in that the next election is going to be in September, 1974. Anything can happen between now and September, 1974. At the next Territorial election doesn't mean anything to the motion at all.

Mr. Stutter: Mr. Chairman, the mover, in order to get unanimous consent to it, I would willing delete those last three words "in September, 1974" it that is causing any hangup because I don't think it will the intent of the motion in anyway to leave them off.

Mr. Chairman: Is Committee agreed?

Mrs. Watson: Mr. Chairman, I think that we have to be very very careful because we have to look at the time necessary to provide reapportions of the electoral districts and this type of thing. This may not be able to, when the Yukon Act is amended, there is a certain length of time to do these changes. I am not trying to go off this for any other reason than this. Let's not tie ourselves in, so that we can't move.

Mr. McKinnon: Don't tie yourself in.

Mr. Stutter: Mr. Chairman, the only thing that I can say is, regardless when the next Territorial election is, we would still request, granted if it were much before September, 1974, it would be an impossibility, but nevertheless we would still request that these changes be brought about.

Mrs. Watson: Mr. Chairman, may I suggest that we do -- we treat this motion as we did the rest. We discuss it today. I think since it was just handed to us that we would vote on it on Monday. I am not opposing the motion, I am just feel that I would like to have a very close at it.

Mr. Stutter: That is fine with me, Mr. Chairman, it is just that I would certainly like to get unanimous support for it, if possible, because it is fairly simple and it is a fairly general motion and I think it should at least have unanimous support, if possible.

Mr. Tanner: Mr. Chairman, there is a simple solution, I think, after Territory, the third line from the bottom, put immediately.

Mr. Chamberlist: No, no.

Mr. Chairman: Is it agreed then that the matter be deferred until Monday?

Some Honourable Members: Agreed.

Mr. Chairman: Again, there is no requirement to report progress on the motion because the motion referred to matter directly to Committee. Next is Motion No. 6.

MOTION #6

Mr. Chairman: It has been moved by Councillor Tanner, seconded by Councillor Stutter, that this Council discuss the appointment of the elected Members of the Executive Committee.

Mr. Tanner: Mr. Chairman, with the agreement of my seconder, I would like to leave this until Monday?

Mr. Stutter: Agreed, Mr. Chairman.

Mr. Chairman: Is Committee agreed?

Some Honourable Members: Agreed.

Mr. Chairman: The next matter, then, is Sessional Papers. Oh, pardon me, we have a Motion No. 8.

MOTION #8

Mr. Chairman: We have Motion No. 8. It was moved by Councillor Tanner, seconded by Councillor Rivett that this House discuss in Committee of the Whole, the Liquor Ordinance and the regulations under same.

Mr. Tanner: Mr. Chairman, with the agreement of my seconder, I will withdraw the motion.

Mr. Rivett: I agree.

Mr. Chairman: Is Committee agreed to the withdrawal of the motion?

Some Honourable Members: Agreed.

Mr. Chairman: Actually the motion has been carried, but the withdrawal is subject to the motion. It is so withdrawn.

WITHDRAWN

Mr. Chairman: The next is Sessional Papers. Sessional Paper No. 1 - The Whitehorse Indian Village Relocation Committee.

SESSIONAL PAPER #1

Mr. Chairman: It was moved, I believe, by Councillor Chamberlist into Committee.

Mr. Chamberlist: Mr. Chairman, in the last Session of Council in Dawson City we were sorry to learn of the resignation of Councillor Tanner from the Whitehorse Indian Village Relocation Committee. I think that if he were to reconsider his position, we can have the matter dealt with immediately and if he would like to remain on that Committee, I would think that that would be the end of this discussion.

Mr. Tanner: Mr. Chairman, I will not reconsider this. I don't want to sit on that Committee.

Mr. Chamberlist: Then we have to appoint somebody, Mr. Chairman. Suggestions can come from Members of Committee in this regard.

Mr. Tanner: Mr. Chairman, it seems to me that it is Councillor McKinnon, who is also a Whitehorse Councillor, he would consider sitting on it. It has been quite a good experience in the last few years and I think that it is an experience that he would enjoy too.

Mr. McKinnon: Mr. Chairman, I would have to decline that opportunity. I made my decision at the very beginning of this Council Session that I would not accept an appointment from this Legislative Assembly and I will not be accepting any appointments from this Legislative Assembly. I find that my time is taken up in trying to keep this Legislative Assembly honest. When I go into a project, I do it with my utmost ability and I find it time consuming and I don't feel that I would be able to serve any of these projects to the best of my ability with the limited time that I have available.

Mr. Chamberlist: I think the last part of the answer is the acceptable part. He is a very busy man. Would any other suggestion be made on this particular committee or is it the intention that null Member of the Territorial Council be allocated to this Committee?

Mr. Tanner: There is just one point, I would point out to all Members of Council that another person sits on that Committee is the Assistant Commissioner. In the past, quite honestly his attendance has been -- he has not been there. He should have been. I think, that if one of the present Assistant Commissioners sat on the Committee in my place.

Mr. Commissioner: Mr. Chairman, I am not about to stand and make apologies on behalf of any of my officers, but the situation that the Honourable Member refers to is unfortunately very factual and honest statement. The matter has been completely rectified with the change in the holder of that particular portfolio and the individual who holds it now will be attending the meetings required of him.

Mrs. Watson: Mr. Chairman, I think we would really be abrogating some of our duties if we didn't have someone from this Council to sit on that Committee. When we have an opportunity to have someone sitting on a Committee to represent the elected people of the Territory, we should take every opportunity to do that. I find it most unfortunate and again the Councillor for Whitehorse West uses all his vim, vigour and venum in providing the opposition to his House where he feels that he does not have enough time to represent this House

on a committee. I feel also that it really should be a Member from a representative from the Whitehorse area. However, if there is no one from the Whitehorse area who will accept the responsibility, possibly one of the other Members from the Territorial Council would sit on the Committee. But I do not feel we should not take this opportunity to have representation on the committee. If we are going to act in a responsible way, we should be prepared to assume all those responsibilities that are given to us.

Mr. Chamberlist: Mr. Chairman, I am a Member for the Whitehorse area and I have no objection of going on the committee, but I was just wondering whether or not it would be proper for me to deal on the committee. Certainly, if the Honourable Members for the Whitehorse area want me to go on the committee, although, I am a very busy man too. I think that it is necessary for me to be concerned with the Indian people in the Indian Village and I am prepared to be on the committee with them.

Mr. Tanner: Mr. Chairman, it doesn't appear to me that a Member of the Executive Committee should be on the committee because he is already a Member of the Executive Committee.

Mr. Chamberlist: All right.

Mr. Chairman: Does it appear then that there is no one available to serve on this committee, or is there someone.

Mrs. Watson: Mr. Chairman, I would again request that the Councillor for Whitehorse West reconsider his decision. I'm sure he could do a lot for this committee. I don't think that they have that many meetings that he should sit on this committee, if he possible can.

Mr. Chairman: The Honourable Member stated his position. I was just wondering if there is anyone who would volunteer for this committee? Does the Chair take it that it is not the intention of Committee at this time to appoint a Member of Council to this committee?

Mr. Chamberlist: Mr. Chairman, I would like to say, notwithstanding, I am on the Executive Committee, I am quite prepared to be at call any time that I am required.

Mrs. Watson: Mr. Chairman, I don't think that this would be proper. The Executive Committee is already represented on that committee, if no one else, possibly the Honourable Member for Watson Lake would be prepared to assume this responsibility on behalf of the Territorial Council.

Mr. Chairman: Speaking from the Chair. I think the Honourable Member knows that this is quite distant from my constituency. I am afraid that would be quite impossible. All right. We have Sessional Paper No. 2, the Whitehorse Hospital.

Mrs. Watson: Mr. Chairman, I don't think we can brush over this. I just don't. We have a responsibility here. We should have a Member of this Council sitting on that committee. Now the Honourable Member for Whitehorse North, has spent three years. Surely, how often do they meet, every three months, not that often. Surely someone from this Territorial Council would be prepared to accept some of that responsibility, regardless of whether you are in a position or not.

Mr. Chamberlist: Mr. Chairman, there is no doubt about it, that it has been made quite clear by the Honourable Member for Whitehorse West that he has no intention or any wish in participating in assisting the people of the Whitehorse area with his expertise and knowledge. Once again it shows that this is a regrettable situation that there is no way that we can overcome it. I know that the Honourable Member for Carmacks-Kluane wants to see somebody on that particular committee. It is an important committee, we feel and the importance might be shown at a later date. The logical person is the Honourable Member for Whitehorse West. The Honourable Member for Whitehorse North has served for three years, he finds it inconvenient to serve for another year and we must accept that from him.

Mrs. Watson: Mr. Chairman, possibly the Member for Whitehorse North that he could serve on the committee.

Mr. Tanner: I'm sorry, Mr. Chairman.

Mr. Chairman: Does the Chair conclude then that there is no Member at this time to serve on this committee? Possibly the Committee at a former Session or at a forthcoming Session might give this matter consideration again.

Mr. Commissioner: Mr. Chairman, I want to assure Honourable Members that the position is there for a representative from the Territorial Council and it is not about to disappear.

Mr. Chairman: What is your pleasure in respect of the time?

Mr. Chamberlist: We can deal with these other Sessional Papers, I think.

Mrs. Watson: Mr. Chairman, I would like to finish the two Sessional Papers they are not that lengthy and I am sure they will only take a few minutes.

SESSIONAL PAPER #2

Mr. Chairman: All right. Sessional Paper No. 2 - the Whitehorse Hospital Advisory Board.

Mr. Chamberlist: Mr. Chairman, again, Councillor Tanner who has served for three years on the Whitehorse on the Whitehorse Hospital Board has regrettably tendered his resignation and has asked for a representative to sit on that committee in his place. Once again we are placed in the same position. I would suggest that the Honourable Member for Whitehorse West once again recognize that he has a responsibility to the people of the Whitehorse area and that he should accept the position of representative on the Whitehorse Hospital Advisory Board.

Mr. McKinnon: Mr. Chairman, I have just this question banding around this responsibility. The Honourable Member for Whitehorse West has also served on the Whitehorse Advisory Board for a period of three years. The Honourable Member for Whitehorse West has also served on the Skookum Jim Advisory Committee as a member of this Territorial Council for six years. Just don't throw these terms at a person renegeing on his responsibility to the people of Whitehorse around, because this Member has done as much as any other Member of this Council in sitting on boards and sitting in on meetings and in fulfilling completely the responsibilities of a Member. I say, at this time, in a period that I do not have the time and I do not have the ability to be able to sit on these boards. I realize that it puts the Council in a predicament. I also assure the Honourable Member when I am a Member of one of these organizations, when I am a Member sitting on one of these meetings, I don't sluff off my responsibilities, I attend the meetings, I take an active part in the meetings, I find it impossible to do it this time and I will not be a figure head member from the Yukon Legislative Council, just for the convenience of putting my name beside a slot. If I am going to fulfill a function, I am going to fulfill it properly. I haven't the time and I cannot at this time fulfill these obligations properly. Don't try and pretext or make the pretext that this Member when he was called upon to service this House, hasn't served this House ably, hasn't served this House to the utmost of his responsibility, and hasn't served this House well.

Mr. Chairman: What is your pleasure in this regard? Does the Chair then assume as in the latter case, that there is no one who will be able to fill this function at this time?

Mr. Tanner: I don't see any reason, Mr. Chairman, and I think it might be very appropriate if Councillor Chamberlist served on the Whitehorse Hospital Advisory Board because he is involved in his capacity as Minister of that Department, and the only other Member of the Executive that sits on the Board is the Commissioner and he probably alternates. I would nominate Councillor Chamberlist to sit on the Board, if the Chair doesn't have any objections.

Mr. Chamberlist: Mr. Chairman, I have no objections on sitting on any Board and doing any job that this Council wants of me. If I have to work for this Council 24 hours a day, and my health lasts out, I will do it. I am quite prepared to sit on any Board.

Mr. Chairman: Speaking from the Chair, it would be a little irregular if the Minister in charge of the Executive Committee responsible for Health was serving on the Hospital Board.

Mr. Chamberlist: The Whitehorse Hospital, with respect, Mr. Chairman, is a facility of the Department of Health and Welfare. And only for purposes of the relationship of the Department do the officers come into contact. And certainly, whatever Council wishes, if they want me to serve, I will serve on the Committee. If they don't want me to serve, then I won't.

Mr. Tanner: In that case, Mr. Chairman, I would nominate Councillor Chamberlist to sit on the Whitehorse Hospital Advisory Board.

Mr. Rivett: I'll second it.

Mr. Chairman: Is there any further discussion on this? Is everybody agreed? Then I shall report that Councillor Chamberlist has been appointed as the representative to the Whitehorse Hospital Advisory Board. Sessional Paper No. 3 is the last Sessional Paper.

SESSIONAL PAPER #3

Mrs. Watson: Mr. Chairman, I think most of you have read the Sessional Paper. It is self-explanatory. It is asking for approval from the Territorial Council for the naming of the new secondary school over in Riverdale, and the name that I have presented, and it was suggested by Miss Faulkner, the George Allen Jeckell School, who served the Yukon for 43 years, originally as a teacher in the school at Dawson City, and then as the chief administrative executive officer for the Territory. With my paper I have attached a biography of George Allen Jeckell, and I would ask for the approval of this House for this name for the new secondary school.

Mr. Chairman: Is the Committee agreed with Sessional Paper No. 3? Agreed? Then Mr. Commissioner, would you so note.

Mr. Tanner: Mr. Chairman, I would move that Mr. Speaker now resume the Chair.

Mr. Chamberlist: I second that.

Mr. Chairman: It has been moved by Councillor Tanner, seconded by Councillor Chamberlist, that Mr. Speaker now resume the Chair. Are you ready for the question? Are you agreed? I declare the motion carried.

MOTION CARRIED

Mr. Speaker: The Council will now come to order. May I have a Report of Committee?

Mr. Taylor: Mr. Speaker, Committee convened at 10:30 a.m. to discuss Bills, Sessional Papers and Motions. It was agreed by Committee that a vote not be taken on Motion No. 1 prior to presentation on Monday afternoon by the Honourable Member from Whitehorse West. So I can report progress on Motion No. 1. Mr. H.J. Taylor, Mr. Fingland, Mr. Hough and Miss Waslynychuk attended Committee to discuss

Bill No. 35. It was moved by Councillor Chamberlist, seconded by Councillor Tanner that Bill No. 35 be reported out of Committee as amended and this motion carried. Committee recessed at 12:00 noon and reconvened at 2:00 p.m. this afternoon. I can report progress on Motion 2 and 3. Mr. Chamberlist was appointed in Committee as representative to the Whitehorse Hospital Auxiliary Board, and the Committee were in agreement with the content of the Sessional Paper No. 3. It was moved by Councillor Chamberlist, seconded by Councillor Tanner that Mr. Speaker do now resume the Chair and this motion carried.

Mr. Speaker: Thank you for the report from the Chairman of Committee.

Mr. Chamberlist: Mr. Speaker, just one minor point in the Chairman's report about the Hospital Auxiliary Board - It is an Advisory Board.

Mr. Speaker: Are we agreed? May I have your further pleasure?

Mr. Taylor: I believe it is the intention on Monday, Mr. Speaker, on Monday next to catch up on the balance of the Motions and Sessional Papers.

Mr. Speaker: May I have your further pleasure?

Mr. Tanner: I would move that we call it 9:00.

Mr. Chamberlist: I second that.

Mr. Speaker: It has been moved by the Honourable Member from Whitehorse North, seconded by the Honourable Member from Whitehorse East that we call it 9:00. Are you prepared for the question? Agreed? I declare the motion carried.

MOTION CARRIED.

Mr. Speaker: This House now stands adjourned until 2:00 Monday afternoon.

ADJOURNED

Mr. Speaker reads the daily prayer.

Mr. Speaker: Madam Clerk is there a quorum present?

Madam Clerk: There is, Mr. Speaker.

Mr. Speaker: The House will now come to order. At this point I would like to introduce to the Territorial Councillors the Washington State Team and the Alaska State Team, seven member canoe team competing in the Klondike '73 Canoe Pageant are acting as ambassadors of goodwill. Today the Alaska and Washington teams are present to bring greetings and best wishes to the people of the Yukon Territory and we would, therefore, like to take advantage of this opportunity to return their greetings and wish each member of the team the best of luck.

Some Honourable Members: Hear, hear.

Mr. Speaker: Are there any Documents or Correspondence to be tabled? Are there any Reports of Committees? Are there any Bills to be introduced? Are there any Notices of Motion or Resolution? Are there any Notices of Motion for the Production of Papers? As there are no Motions for the Production of Papers, we come to the Question Period. Madam Clerk would you see if the Commissioner is available, we will now have a short recess.

RECESS

Mr. Speaker: The House will now come to order. We have Mr. Commissioner with us, this afternoon. Are there any questions?

Mr. Commissioner: A matter of interest to Members of this House, I signed a few minutes ago an Order which will permit an election to be held here in the City of Whitehorse on the 20th of September. This is an enabling Order and there will be certain things that will have to be done by the City of Whitehorse, a list of electors, Mr. Legal Adviser, is one of the things. There are various other things that are required under this Ordinance. A Court of Revision. Mr. Speaker, I was asked several days ago about Y.T.G.'s involvement with regard to the provision of electricity and the construction of a power line to do with the Dawson airport terminal building. There are negotiations going on at the present time between the Territorial Government and the Ministry of Transport concerning a possible construction grant towards this particular building, but the power transmission line, itself, will be built by the Northern Canada Power Commission at their own expense and the Territorial Government will pay 15 cents per kilowatt hour used plus \$400 per month. These power charges are subject to review on an annual basis. The funds are recoverable through rental charges assessed through the Ministry of Transport and the airline operators on a rate of \$8 per square foot. I believe there are still one or two outstanding questions, Mr. Speaker, that is as many as I have been able to deal with up to now.

QUESTION RE LOWER RATE PER KILOWATT HOUR

Mr. Stutter: Mr. Speaker, might I ask the Commissioner if at the time that negotiations were being made for this construction of the power line that any other company, or any other party other than the N.C.P.C. were contacted with a possible view of getting a lower rate than the 15 cents per kilowatt hour?

Mr. Commissioner: Mr. Speaker, I'm sorry, I couldn't answer that question, but I would certainly find out for the Honourable Member. I have no idea.

QUESTION RE TERRITORIAL CAPITOL BUILDING

Mr. Taylor: Mr. Speaker, I have a question I would direct

to Mr. Commissioner this afternoon. It has reference to the new Capitol building and I'm wondering if as yet, Mr. Commissioner, can advise us of two things. One is, what is the construction schedule in respect of the building and secondly, when will Council have the opportunity to see the plans in respect of this new building, as it may effect the Legislature?

Mr. Commissioner: Mr. Speaker, there has been some delay in the actual construction of this building. Officers of the Government are presently working with the Federal Department of Public Works in this regard. I think, that I had best undertake to give Councillors a written answer as far as the actual scheduling now is concerned. As far as plans are concerned we have not seen any plans at all at Y.T.G. other than the outside of the building, the concept of the building and I believe it will still be some weeks before these are available.

Mr. Taylor: Supplementary to my first question, Mr. Speaker, I am wondering if Mr. Commissioner would undertake to forward to Members of Council, if Council will not then be sitting, forward to them copies of the construction profile or the construction schedule when it is known?

Mr. Commissioner: Mr. Speaker, I have indicated that I will give Councillors a copy of this construction paper. I'm sorry that I don't have this readily available, but there were meetings going on last week in Vancouver that should give us an answer.

Mr. Speaker: For the interest of all, will there be a caucus room?

Mr. Commissioner: Mr. Speaker, I'm quite confident that there will be, although, until now there have not been any details of plans to that extent.

QUESTION RE RAILROAD YARDS IN THE CARMACKS AREA

Mr. Taylor: Yes, Mr. Speaker, I have a further question directed to the Administration this afternoon. During the past two or three Sessions, I have asked questions with reference to the acquisition of land for railroad yard purposes in the Carmacks area. I am wondering if Mr. Commissioner could inform me as to whether any applications have been yet received or any land granted to any party with respect to the development of railroad yards in Carmacks or in the Carmacks area?

Mr. Commissioner: Mr. Speaker, if my memory serves me correctly, at the Spring Session of Council a paper was tabled in answer to that question and I am not aware of any changes in that situation.

Mr. Speaker: Are there any further questions? We would like to thank the Commissioner for his attendance. As there are no Private Bills and Orders we come to Public Bills.

Moved by Councillor Chamberlist, seconded by Councillor Watson, that the amendments to Bill No. 35, Workmen's Compensation Ordinance, be given First Reading.

MOTION CARRIED

Moved by Councillor Chamberlist, seconded by Councillor Watson, that the amendments to Bill No. 35, Workmen's Compensation Ordinance, be given Second Reading.

MOTION CARRIED

BILL #35 THIRD READING

Mr. Chamberlist: Mr. Speaker, I move, seconded by Councillor Watson, that Bill No. 35, an Ordinance intituled Workmen's Compensation Ordinance be given Third Reading at this time.

Mr. Speaker: It has been moved by the Honourable Member for Whitehorse East, seconded by the Honourable Member for Carmacks-Kluane, that Bill No. 35 be given Third Reading at this time, Bill No. 35, an Ordinance intituled Workmen's Compensation Ordinance be given Third Reading.

Mr. Taylor: Mr. Speaker, just prior to question being called, in speaking of Third Reading, I just have one piece of information that I want clarified. I am wondering if Mr. Speaker or the Administration could advise me as to what the timetable is to the implementation of this Bill. In other words, when will it come into force?

Mr. Commissioner: As soon as is practicable and possible, Mr. Speaker. There are many administrative details that have to be worked out and it will be a matter of bringing it into effect in an orderly manner that will for the most part, each employer will have to coincide with the exploration of this present coverage with the replacement of that coverage by the Territorial Government coverage. I am sorry, Mr. Speaker, it is just not right that I should give a firm date because we don't know just how quickly this can be done. There are staff equivalents that have to be attended to and things of that nature which could not be properly attended to prior to the passage by this House of this legislation.

Mr. Speaker: Are you prepared for the question? Agreed? I declare the motion carried.

MOTION CARRIED

BILL #35 TITLE ADOPTED

Moved by Councillor Chamberlist, seconded by Councillor Watson, that the Title to Bill No. 35, Workmen's Compensation Ordinance, be adopted as written.

MOTION CARRIED

Mr. Speaker: I declare that Bill No. 35 has passed this House.

BILL #36 THIRD READING

Moved by Councillor Chamberlist, seconded by Councillor Watson, that Bill No. 36, Workmen's Compensation Supplementary Benefits Ordinance, be given Third Reading.

MOTION CARRIED

BILL #36 TITLE ADOPTED

Moved by Councillor Chamberlist, seconded by Councillor Watson, that the title to Bill No. 36, Workmen's Compensation Supplementary Benefits Ordinance be adopted as written.

MOTION CARRIED

Mr. Speaker: I declare that Bill No. 36 has passed this House.

BILL #37 THIRD READING

Moved by Councillor Chamberlist, seconded by Councillor Watson, that Bill No. 37, Third Appropriation Ordinance, 1973/74, be given Third Reading.

MOTION CARRIED

BILL #37 TITLE ADOPTED

Moved by Councillor Chamberlist, seconded by Councillor Watson, that the title to Bill No. 37, Third Appropriation Ordinance, 1973/74, be adopted as written.

MOTION CARRIED

Mr. Speaker: I declare that Bill No. 37 has passed this House. May I have your further pleasure?

Mr. Chamberlist: Mr. Speaker, I move that Mr. Speaker do now leave the Chair, Council resolve itself into Committee of the Whole for the purpose of discussing Motions and Sessional Papers.

Mr. Speaker: Is there a seconder?

Mr. Tanner: I'll second it.

Mr. Speaker: It has been moved by the Honourable Member for Whitehorse East, seconded by the Honourable Member for Whitehorse North, that Mr. Speaker do now leave the Chair and Council resolve itself into Committee of the Whole for the purpose of discussing Motions and Sessional Papers. Are you prepared for the question? Agreed? I declare the motion carried.

MOTION CARRIED

Mr. Speaker: The Honourable Member for Watson Lake will please take the Chair in Committee of the Whole.

Mr. Chairman: The first item of business in Committee, taking the motions in rotation, the first motion is Motion No. 1.

Mr. Chamberlist: Mr. Chairman, I would like to reply to three propositions that were put before Committee of the Whole on Friday by the Honourable Member for Dawson City. The three propositions were whether or not the information that was given to this House was privileged information or whether or not it was bad reporting by the news media and whether or not the information was fallacy or false. Mr. Chairman, I would like to indicate that all the information that was made available is substantive information. All of it came to the attention of the Honourable Member for Carmacks-Kluane and myself after the resignation of the five members of City Council. The information is available to the public, public documents, public files and are available at any time in the Territorial Secretary's Office. The second proposition relating to the perhaps inadequate reporting this is a matter that has to be considered by the members of the news media themselves. The possible suggestion that any of it is false, is not so, all the information is substantive information and can be substantiated at any time if the request is made for it to be substantiated.

Mr. Tanner: Mr. Chairman, last Friday Councillor McKinnon asked me specifically in Council whether or not I would have all the motions and debates taken off the Order Paper on Friday, if not discussed, and he and I agreed, and the House heard us agree that he would bring information to the House this afternoon. I would ask Councillor McKinnon if he has that information and if he is going to present it to the House and if not, I would suggest to the Committee that we proceed with debate on those Bills.

Mr. McKinnon: Mr. Chairman, I wonder if I could ask the permission of Committee if we could move to Motion No. 3. Both the remarks that I have and will make will be centered around Motion No. 3, and perhaps we could save the time of Committee if we, rather than rising to make similar remarks on every motion, I could be allowed to make the remarks that I wish to make on Motion No. 3.

Mr. Chamberlist: Mr. Chairman, I must object to that procedure. It was at the express wish of the Honourable Member that he be given time to specifically deal with Motion No. 1, and I would like to point this out to Mr. Chairman, that he said "I rise on the very serious question of personal privilege. Mr. Speaker, information has been brought to my attention effecting the conduct of Territorial and Federal Officials in the rights and privileges of this House." Mr. Chairman, I think this is what he must answer now, and bring that information forward. He later on went on to say that he is making this request not in a frivolous nature. He went on also to say, in part that he feels "that it is quite possible that Members who have spoken have some sort of guilt syndrome or something on their conscience." I would suggest, Mr. Chairman, that he follow the procedure that he asked this House to agree to. We did agree with it and I ask Mr. Chairman, that we deal with the motions in the order that they were taken and that the Honourable Member now state his case.

Mr. Chairman: I think it was agreed by all Members that many, indeed all of these motions be deferred until today to be discussed, and if the Member requires a courtesy that doesn't offend anyone in the House, I think that we could deal with any one of these Motions that is pertinent to all three, and that is the course of action that I recommend the Committee take.

Mr. Tanner: Mr. Chairman, it seems that the first motions that were put on the Order Paper were put by Councillor Chamberlist and Councillor Watson, and since all the motions are interlocking to some extent, and since Councillor McKinnon asked that we hear him, and since Councillor Chamberlist and Councillor Watson were given all sorts of leeway on Friday, I think it is only the courtesy of this House that we extend the same courtesy to Councillor McKinnon.

Mrs. Watson: Mr. Chairman, I object. We were given the leeway in our discussions with Motion No. 1 and it was Councillor McKinnon who specifically requested time to prepare a rebuttal for the discussions that we had on Motion No. 1 and I feel that Councillor McKinnon should be prepared to proceed on that line.

Mr. Chairman: I wonder if...

Councillor Stutter: I would have to agree with the comments made by the Councillor for Whitehorse North, and I would like to reiterate the remarks that I made on Friday, and I would quote it. "Perhaps some of the information that Councillor McKinnon is going to bring forward will allow us to see a little bit of the other side of the argument put forward. I really don't see where a lot of this information has to do with this particular motion in front of us, but perhaps some of it should have been brought up with other motions, but nevertheless I have submitted, as well as other Members have submitted, that a wide latitude has been permitted, in order to get these things out in the open." That was my feeling then and that is my feeling now: That Councillor McKinnon should be permitted to bring up this information now, even if it does overlap some of the other motions.

Mr. Chairman: I think that I would rule that this would be quite in order.

Mr. Chamberlist: But Mr. Chairman...

Mrs. Watson: On what motion will we be voting then?

Mr. Chairman: On Motion No. 3.

Mr. Chamberlist: No. No. I object. We have already ruled that we would take this in order. The very first word that the Honourable Chairman spoke when he opened Committee this afternoon, was that we would take them in chronological order. Now, Mr. Chairman, I am just suggesting that Mr. Chairman abide by his own ruling. That is to take them in chronological order.

Mr. Tanner: Mr. Chairman, I think I can suggest a simple solution. Let's hear Councillor McKinnon's information, and we can still vote on the Motions No. 1, 2, and 3 in numerical order, but we can hear all the information as it applies to any one of the motions.

Mr. Chamberlist: I agree to that one.

Mrs. Watson: Mr. Chairman, if we vote on Motion No. 1 the first thing after hearing Mr. McKinnon's presentation.

Mr. Chairman: As I have stated earlier, in light of the remarks and discussion that have been made in Committee and I think in all fairness to all Members, I think a great amount of latitude was exercised by the Chair when the two Members opposing Councillor McKinnon and Councillor Stutter's suggestions and also Councillor Tanner's suggestions, were given a great deal of latitude and I think that it is only fair that other Members should receive the same amount of latitude in these discussions and I would rule that we will now discuss Motion No. 3 and no vote will be taken on these matters until Committee indicates that they wish to take vote.

Mr. Chamberlist: Mr. Chairman, with the utmost respect, we are not dealing now with what we are going to be discussing, but I am simply saying that when it comes to a vote, they must be voted on in numerical order and I am sure that Honourable Members will recognize that we have always dealt with motions in this manner and I will suggest that Mr. Chairman abide by his own rulings in dealing with motions in numerical order. I have no objections to the Honourable Member from Whitehorse West going to any lengths of explanation that he wishes in regards to all the motions. He can speak as he wishes, write us off the board but we should have the rule that when voting on the motions, that they be dealt with numerically. That is all I ask and I think the Honourable Member from Carmacks-Kluane has already indicated that it would be satisfactory and I think the Honourable Member from Whitehorse North thinks in exactly the same way.

Mr. Chairman: I think I have made a ruling from the Chair that I must abide by and I think we are dealing now with Motion No. 3. Any sequence of voting on this series of motions will be up to the decision of the majority of Committee at that time. So will you proceed with Motion No. 3, please.

MOTION #3

Mr. McKinnon: Mr. Chairman, I was very happy to hear this morning from the Honourable Member for Whitehorse East that in answer to the questions raised by the Member from Dawson he was prepared to stand up and say that all the statements he had made in debate on Thursday and Friday were substantially true. Of course, this is not correct, and of course my whole purpose in presenting, if for lack of any other words, the other side of the story today, is to show that what the Honourable Members said (the Honourable Member for Whitehorse East and the Honourable Member from Carmacks-Kluane on Thursday and Friday) were not correct statements. And the whole object of course is to show that with the lack of credibility of the elected Members presently occupying those seats on the Executive Committee, that this Council, as it is structured, cannot continue to function. I think perhaps, I should first go to the area where charges or innuendos, or call them whatever you may, were made in my regard to this massive syndicate that was taking over the financial and intellectual life of every person in the Yukon Territory. After seventeen years in the Yukon Territory and of course this is a matter of public records anyway, I am a minor shareholder in Whitehorse Motors, Northern T.V. and Klondike Broadcasting, and anybody, as the Honourable Member has said, can go down to the Territorial Secretary's office and find this out. I might add that for all the power that I wield I have yet to receive one cent in dividends from Whitehorse Motors and Klondike Broadcasting for the simple reasons that neither company has ever turned a profit as yet, and if any Members in the Council or members in the gallery want to become a member of this massive syndicate that is controlling your life, if you want to see me after this debate is over with a price I may be prepared to part with some of these shares in either Klondike Broadcasting or Whitehorse Motors. And the case that was still, and it was an absolute smoke screen and the case that was built around my interests and my involvement in the companies that were mentioned went to the ridiculous extent that because Bob Choate happens to be an officer in the Yukon Electrical Company Ltd. and also a shareholder in Whitehorse Television is the reason that we have pole rights in the Yukon Electrical Poles. But what the Member failed to mention, and being the massive innuendo that he is, is that we also have pole rights with Canadian National Telegraph and the Northern Canada Power Commission which are two crown companies, and if we follow his thinking to its logical conclusion, I would imagine that the Honourable Jean Chrétien, who I believe is the Chairman of the Board at the NCPC would also be involved in this fifth column in this massive subterfuge to take over the Yukon Territory and the Honourable Jean Marchand who happens to be the Minister of Transport and responsible for the crown company of Canadian National Telecommunications, because we have a contract with one of his companies, who is also involved. So I think that he should have gone a little further and really showed that this massive take-over goes even further than the Honourable Member was prepared to admit to this Council Chamber. If we go the other direction, we can find out that Jack Hildebrand who is an inspector with the Yukon Territorial Government has shares

in Whitehorse Motors. Does this make him less effective because he wants to invest in a company, resident and doing business in the Yukon with the Government of the Yukon Territory? Al Oster, who is in the Department of Indian Affairs and Northern Development, all on public record but not stated the other day, is also a shareholder in Whitehorse Motors, does this make him any less capable of doing business for the Federal Government? Does it make him a Yukoner who wants to invest some little money in a Yukon-based company with Yukon directors. This whole going out of this type of smoke screen and just hoping that some of it will stick somewhere and that people will start wondering if maybe there is this great inter-corporate type of syndicate that is really planning and goes out of its way day and night to control the minds and lives of the people of the Yukon. And of course Mr. Chairman, nothing could be further from the truth and anything along these lines is ridiculous. You know, the only thing where the Honourable Member did hurt me and did say a little bit where I think he said that out of the diatribe that went on that my job was only there for the acquiescence of the power group which I happened to be controlled by. And I think Honourable Members know me well enough, and I think the Honourable Member from Whitehorse East...

Mr. Chamberlist: Yes, I sure do know you.

Mr. McKinnon:...knows that I do not acquiesce to anyone. I have just worked too many hours and have been involved in too many major policy decisions and followed them through as the manager of Northern Television Systems Ltd. to ask any of the Members around this House to accept the garbage that my job depends on acquiescence and of course it belittles the business capabilities of Mr. Hougen also to think that I am not capable of doing my job which is another piece of absolute nonsense. I went through Thursday and Friday's debates this weekend and I don't know enough about the meetings that went on at City Council which the Honourable Member seems to know so much about, I don't know enough about Mainsteel Development, I don't know enough about Arctic Investment and all the companies to come to the defence of these people who I say were maligned unscrupulously and maliciously attacked in the Thursday and Friday debates. Mr. Chairman, the only other way of defending the other five and creating the, what has to be, the largest credibility gap I think that exists in any type of legislative assembly to have attacked so maliciously so many good people in the Yukon was for those people to have a spokesman in this assembly. I am not the type of person, I never have been, who speaks from rumors, rather I went to the people to prepare on the strength of Thursday's and Friday's statements, sworn affidavits and statements at least taking in some of the more outrageous accusations and untruths that were made against them on Thursday and Friday. And I think that one has to say in the final analysis, who do you believe? The people, all good Yukon citizens who have lived in the Yukon for many years, who have invested in the Yukon, or do you believe what happened in this remarkable debate on Thursday and Friday where the accusations were thrown in the immunity of the House. And I would, Mr. Chairman, like to read these affidavits into the record of the Yukon Territorial Council at this time. The first is a sworn affidavit of A. J. Wybrew in reply to certain statements made and reported in the Yukon Legislative Council Votes and Proceedings, 22nd Wholly Elected Council, 1973, Third Session, Thursday, July 26, 1973. On page 47, the first discussions took place in January of 1972 at a private meeting and the topic brought up by the Mayor himself. The truth said Mr. Wybrew, "I was unaware of any possible purchase of the lots until it was brought before council by the administration." On page 48 of the Votes and Proceedings, it was stated "The Mayor had seen fit to sign a cheque on behalf of the City of Whitehorse for the sum of \$122,000.00 without the authorization of the City Council." Reply from the Mayor is "The cheque was dated August 30th, 1972. Two signatures are required on each cheque, my own and the City Treasurer's. The prior authorization of City Council was obtained." On page 48, "Mayor Wybrew submitted a money by-law for approval by the taxpayers of Whitehorse". The reply from the Mayor "The Mayor does not submit by-laws to the taxpayers but rather Council does." On page 52 "The recent example of the illegal expenditures by the Mayor of City money." The reply by the Mayor, the "Mayor does not spend City money but merely co-signs cheques for accounts authorized by Council" On page 52 the charge was made "Mr. Hougen to get it signed by Mayor Wybrew". The reply from

the ex-Mayor: "Mr. Hougen has no access to City cheques and has not met with me regarding their signing." On page 52, the "franchise was to be renewed on the same terms as before, and that no outside competition would be allowed to bid." Reply from the ex-Mayor, "the Council met with the NCPC and the Yukon Electrical Company. The discussions took place in general terms concerning the interests of both companies in seeking to obtain a franchise for the distribution of electric power after expiry of the existing agreement in July of 1974. Discussion also took place regarding the new concept of revenue taxation. Council decided that it required expert assistance and employed a consultant experienced in such matters for recommendations. It is my understanding that renewal of a franchise requires a public hearing before a Public Utilities Board. Sworn by me at the City of Whitehorse in the Yukon Territory this 30th day of July, 1973. A. J. Wybrew."

I should inform Committee that the person who writes this letter, is a person of over 20 years experience in the Yukon Territory. He has served as Mayor for the City of Whitehorse for three terms. He has won overwhelming majority at every mayoralty election that he has conceived. I have personally known him and have been involved with him in business now for seven years in business and I have known him personally for ten years and I can vouch for the honesty of the man who wrote that affidavit. I think that we have to pray when the statements that he makes are true in his reply against those made by the Honourable Members in the immunity of this House. I have next a letter signed by Mr. Rolf Hougen dated July 30 of 1973. It states that little

Mrs. Watson had to say was fact. Much were opinions and conclusions that she herself stated. Anyone in the Yukon who hides behind the protection of the Council and is afraid to make the statement in public must be lying. I have known Mrs. Watson for some time and I do not for a moment believe she would deliberately lie. I prefer to believe her informants have misled and misinformed her. As to her comments that relate to the Riverboats and their restoration in which I and those of the Riverboat Committee as well as countless citizens of Whitehorse take a great deal of pride in preserving another part of our historical past so important to building a tourist industry. She has obviously been totally misinformed and what she said is incorrect conjecture, misinformation and untrue. In commenting on Mr. Chamberlist's statement about shareholders in several companies with which I am associated, I think the best reply would be to suggest to anyone who is interested, that accurate information can be obtained from the Territorial Secretary's office. It is public information available to all. Imagination, conjecture and opinion formed the basis of Mr. Chamberlist so-called exposure of this syndicate. Nothing could be further from the truth. Hougen's Limited is strictly a family company with no outside shareholders. Erik Nielsen is not a director or a shareholder in any company with which I am associated. I am very proud that many people throughout the Yukon are involved in some of the companies. It is a faith they have shown me personally in the Yukon. I take a great deal of pride in the role I have played in the development of the Yukon and the fact all monies earned have been re-invested and not taken to southern points which is the usual practise of many Yukon businessmen. What the Yukon needs, is more builders, men with determination and imagination and the will to make financial gambles on business ventures; not those who devote their energy to tearing down and destroying. This statement is signed by Rolf Hougen on July 30, 1973. I have known Mr. Hougen, Members of Committee for approximately fifteen years. I know him and his family. I know that he was born and raised in the Yukon. That he made the business which is now Hougen's Limited out of a small Watkin Product shop on Main Street, not that long ago. I think that most people who have been in the Yukon for any length admire the business ability and also the honesty with which Mr. Hougen's approaches any of his business dealings. I think that we have to weigh the kind of remarks about the untrue statements that were made concerning Mr. Hougen's company in Thursday and Friday's debate by the Honourable Members for Whitehorse East and Carmacks-Kluane against his reply. I have an affidavit from a Mr. Robert Lloyd Erlam, publisher of the City of Whitehorse from the Yukon Territory who makes oath and said, "That I am the publisher of The Whitehorse Star, a newspaper published in the City of Whitehorse, in the Yukon Territory. That I have examined

the Yukon Legislative Council Votes and Proceedings of Thursday, the 26th day of July, 1973, and in particular the remarks of Mr. Chamberlist regarding me in which he says, "because here we have defamatory, libellous, slanderous type of writing that is done with a poison pen, with a backwoodsman's attitudes. That I have considered his remarks and have decided to make this affidavit under oath in answer to what was said. That the opinions expressed by Mr. Chamberlist are his own and I am satisfied to have the decision on the truthfulness of the remarks to the general public who read The Whitehorse Star. I am satisfied the remarks are ill founded and cannot be substantiated on the facts as they actually exist. That it is not my desire to further the publicity of Mr. Chamberlist by commencing legal proceedings against him for his remarks, but if he continues with such remarks outside the Yukon Legislative Council, serious consideration will be given to legal action. Sworn before me at the City of Whitehorse, in the Yukon Territory, this 30th day of July, 1973. Mr. Chairman, I have know Mr. Erlam for approximately 15 years, I believe he has been in Whitehorse and in the Yukon for 25 years. I believe that he is a respectable citizen and that he would not make remarks in reply as he does unless he felt them to be substantially correct. Mr. Chairman, I would like to read a statement into the records, a statement dated July 30th, 1973 and signed by John F. Dumas, "Firstly, I wish to state that I feel much like those Americans who have in recent months found themselves on President Nixon's Watergate enemy list -- it's an honour. I consider Bert Hybrew, Bob Byron, Rolf Hougen, Erik Nielsen and Ken McKinnon to be amongst the finest citizens of our Territory. On the other hand, if one must have enemies, who better than Norm Chamberlist, Hilda Watson and their supporting cast? As to the charges laid by the latter, I submit the following: Mainsteele Developments is owned by Eric Wienecke and myself in total. As I own only 50 percent of the shares, I do not now, nor did I ever, control the company. The registered office of the company is Lueck, Pitzel & Cable. Mr. Allan Lueck has acted as legal advisor since the company's inception. At no time was the sale of the Mainsteele lots discussed with Mayor Hybrew or any other elected city official, save a brief discussion with the Committee appointed by City Council for the purpose, and which included Alderman Alder Hunter. The monies from the sale of the lots went directly to Northern Commercial Company, who was at that time the registered owner of the lots. The lots were sold for something less than their true value, as was shown by the Hobbs' Commission. Mr. Nielsen is not now, nor has he ever been an investor of any company with which the undersigned is connected. He has never shared in any corporate benefits of any sort whatsoever. He and his firm have in fact, simply acted in the normal role of legal advisor and registered office for some firms. As a matter of fact, they have often had to hustle just to collect their legal fees. At no time during the course of the last six years has the undersigned used political influence to achieve business, or any other ends. Any man or woman who claims different is a blatant liar. Further more, never in my business life have I intentionally misled any client, investor, partner or anyone else. Finally, in the six year period between June 15th, 1967, and June 15th, 1973, that I have been in business in Yukon, I expect that I have signed over four million dollars worth of cheques for wages, goods and services. I have been instrumental in the construction of over one million dollars worth of residential housing and over one million dollars worth of commercial buildings. That these activities have added to the overall economy and development of the area, there is little doubt. That every creditor or employee has received or is receiving full compensation for services rendered is a matter of record; even to the extent of the undersigned personally assuming corporate debts which he could legally have walked away from. In addition, during the six year period, I have sat on Territorial Council for three years, served on various organizations and committees, and generally have been an active Yukon booster. I ask you, what, of positive value, have my accusers contributed in that same period? I have stated many times, publicly and privately, that I am prepared to discuss all my activities, public, political and business, with anyone, at any place, at any time. With that in mind, I challenge Norm Chamberlist to resign his seat and face me in a by-election in Whitehorse East. Dated at the City

of Whitehorse, in the Yukon Territory, this 30th day of July, A.D. 1973" Mr. Chairman, I have known the writer of the letter for 17 years now, I have sat with him on this Territorial Council. I have watched him and I have watched him in action over the years and I believe that what he said is true and I believe that he says a statement made in this House, by the Honourable Member for Whitehorse East and Carmacks-Kluane is untrue. I think that we have to say that there is a lack of credibility somewhere along the line. Mr. Chairman, I would like to enter into the record an affidavit sworn by Robert Leonard Byron of the City of Whitehorse of the Yukon Territory, the 30th day of July, 1973. I have known Mr. Byron since he came to Whitehorse in 1969, for some four or five years. He is a graduate of a three-year extension course from Queen's University, a municipal course for treasurer; he has fourteen years of municipal experience and there are many other than those who sit on the Executive Committee and then the roles of power in the Yukon Territory who feel that he is probably the finest City Manager that Whitehorse has ever had. "To whom it may concern: This is a sworn affidavit by myself, Robert Leonard Byron, in reply to certain statements made and reported in the Yukon Legislative Council Votes and Proceedings, 22nd Wholly Elective Council, 1973 Third Session, Thursday, July 26, 1973. On Page 47 as of stated and without any further instruction from City Council signed a legal contract prepared by that firm of lawyers to purchase a lot. The reply of Mr. Byron, "The Hobbs' Inquiry evidence records that Council was kept aware of negotiations. That the agreement to purchase received prior authorization and Alderman Hunter's involvement is borne out in extract taken from City Council. Proceedings of September 11, 1972, during discussion of the Accounts Payable. All of the addendum are present to this sworn statement of Mr. Byron. On Page 48, the Mayor had seen fit to sign a cheque on behalf of the City of Whitehorse for the sum of \$122,000 without the authorization from the City Council and that cheque had been delivered to the City's legal advisor for the purchase of five lots. Honourable Members, \$122,000 had been released by the City Manager and the Mayor without the Council's authorization to the vendor some thirty days before the title was actually cleared on the land. And eleven days later, the City Council authorized payment - forty-one days after. The reply to that charge by Mr. Byron, "A cheque in amount of \$122,345.22 signed by the Mayor and Treasurer issued on August 30, 1972 to Nielsen, Hudson & Anton. The payment was discussed on September 11, 1972 (11 days later) with admission of prior authorization." On Page 48, notwithstanding the defeat, it subsequently was ascertained that the Mayor personally entered into a contract with a firm to buy the equipment, using the form of lease which enabled him to lease it for a period and then to buy it for a dollar and the interest paid on this deal was 14%. Reply from the City Manager, was "Council authorized payment of full purchase price of backhoe, backhoe-loader and fire truck out of funds available in current budget, November 19, 1970. On Page 48, it is charged that talks were already taking place behind closed doors in City Hall regarding the purchase of those five lots and at the same time of the City Hall, the budget was being prepared. The reply, "It appears by editorial of the Whitehorse Star, April 26, 1972, plans for off-street parking and the suggestion to acquire land on Steele Street is a good one albeit expensive". Also a J.D. Burrows letter to the Editor protesting possible purchase in Whitehorse Star in an issue of April 26, 1973. Also, a front page story of the Whitehorse Star issue of June 12, 1972, "The land will likely be added to the City's downtown land reserve being used for parking pending other developments." On Page 51, they had agreed, they sat down the City notwithstanding disagreement when the City Council met, the letter was presented to the Council by the Manager with the statement that here was another attack being made by the Territorial Government to harass the City when in fact he had sat in on the meeting to determine the terms of the letter. The reply to the City Manager, "The meeting was a confidential meeting held for the purpose of clarifying certain aspects of the Zoning By-law submitted for the Commissioner's approval. My response to correspondence dated April 9, 1973, sent by G.A. McIntyre, is evidenced by attached memo to City Council. The memo dated April 19, 1973, follows the meeting held in the Jury

Room, April the 6th, 1973, and was presented to City Council on April 24, 1973. On Page 52, the statement is made, "I would also like to know why Mr. Byron treated himself as a private citizen when he drew up the cheques and went with Mr. Hougen to get it signed by Mayor Wybrew". The reply from the City Manager, "Mr. Byron does not issue cheques and has never at any time gone with Mr. Hougen to Mayor Wybrew to have cheques signed". On Page 52, "At a private meeting at the City Council, the present electrical company offered a considerable sum of money to the City on the condition that the franchise was to be renewed on the same terms as before, and that no outside competition would be allowed to bid at a lower rate." The reply of the City Manager, "The purpose of this meeting was to discuss proposed changes to the existing franchise agreement. Discussion was held concerning details of franchise renewal. A similar meeting was held with representative of the N.C.P.C. A consultant has been hired to advise the City on the terms and conditions of a franchise renewal, to study proposals submitted, and assist the City with its presentation to the Public Utilities Board". On Page 55, "Now, in Section 129, there have been questions raised because under the Municipal Aid Ordinance, the right amount of money on a per capita basis haven't been paid to the City of Whitehorse, and the question has always been that a new census should be taken. Well, I don't know why Section 129, which provides that the Council, may, by by-law, take a census of the municipality, hasn't been given any consideration at all". The reply of the City Manager, "The Municipal Aid Ordinance, Section 4(1) reads as follows: "Except as provided in subsections (2) and (3), the number of persons in the population of the municipality shall be the number ascertained in the latest census taken pursuant to the Statistics Act." Mr. Chairman, I have one other reply to read into the record and it is stated and signed by Mr. Erik Nielsen and dated July 30th, 1973. It reads, "That the statements made by Councillors Chamberlist and Watson during recent proceedings in the Territorial Council discussions are so lengthy and wide-ranging as to defy any possibility of detailed reply before the debate now under way is concluded. Essentially these statements all boil down to the regurgitation of the same assertions that have been made so often before. For the two Councillors concerned, it is an act of the most shameful cowardice to hide behind the privilege of immunity which they enjoy with respect to their statements in Council. What has transpired in this Session of Council constitutes, without parallel, a disgusting and degrading spectacle. The scurrilous and venomous attacks by Councillors Chamberlist and Watson, as those attacks concern me, are a tissue of lies, half truths and innuendo from start to finish. I challenge both of these Councillors to make the same statements, in the same form as they were made in Council, in public. If either one of them has any backbone at all they will both avail themselves of the earliest opportunity to hold a press conference for this purpose. If they fail to do so, and if they fail to make the same statements publicly, without the protection of the special privilege of immunity, then Yukoners will be well justified in coming to the conclusion that these outbursts by the Councillors concerned constitute nothing more than another example of verbal diarrhoea brought on by the laxative of their own gross deficiencies in their office and a maniacal obsession for the retention of their power. Yes, Councillors Chamberlist and Watson, I deny the canard which you have spewn forth. I believe most Yukoners share my conviction that the present Territorial Council is suffering from a malaise which will only be cured by the purgative effect of a Territorial election. The people, after all is said and done, will be your final judges. They, hopefully, will weed out the sick ones at the polls and so restore Council to the healthy debating forum which we all have a right to expect it to be. Mr. Chairman, I have just read into the record, statements by seven different individuals in the City of Whitehorse.

Mr. Chairman: I wonder, please, I would just like to advise the Member that his time is almost expired, and if... will you proceed.

Mr. McKinnon: Everyone of them have stated that in

essence that many of the remarks that were made in this House on Thursday and Friday were untruthful. They have called them a tissue of lies, they have called them innuendo and they have called them blatant untruths. I find it very difficult to believe that seven people with such a lengthy history and involvement in Whitehorse of the Yukon Territory are all in the reply to the Honourable Member for Whitehorse East and the Honourable Member for Carmacks-Kluane also telling untruths and also telling lies. Mr. McKinnon: I think this takes us pretty well up to a certain point, Mr. Chairman. The point that I would say that it would take us is to where the Honourable Member for Whitehorse East and the Honourable Member for Carmacks-Kluane stopped their two days of diatribe. I have saved the last piece of correspondence sworn today because it involves another person, that I think is very well thought of in the Yukon Territory and who is every bit as creditable as the seven people whose statements I have read into the record already, that person is ex-alderman Paul Lucier. If we thought we heard a record of meetings and secretly involved in the allegations which were false by the Honourable Member from Whitehorse East and the Honourable Member from Carmacks-Kluane on Thursday and Friday, I ask you if you have ever seen such shenanigans as the Executive Committee and its Members in an attempt to get off the hook in the City-Territorial impasse. I would like to read, Mr. Chairman, into the record a statement sworn to be true by ex-alderman Paul Lucier on the 30th day of July, 1973. To start, Mr. Chairman, "Clive Boyd phoned me on July 20th and said that he had been phoned by the Director of Legal Affairs for the Yukon, Mr. Pdraig O'Donoghue and asked to meet him in the office on Tuesday, July 17th at 9:30 a.m. Clive entered Mr. O'Donoghue's office and Mr. John Steves was also present. He asked Clive if he should stay or leave. Clive said that he didn't care since Pdraig called the meeting. Pdraig then told Clive that the Commissioner and the two appointed Members of the Executive Committee wanted the action by both parties withdrawn but the two elected Members of the Executive Committee did not want the quo warranto Order withdrawn. The meeting lasted over an hour. Later in the same date, Clive was called by Norm Chamberlist's secretary and asked to meet with Norm in his office at 2:30 that afternoon. Mr. Boyd was also called the same day by Mr. Finland and asked to meet him. Clive mentioned the meeting with Norm and asked if the meeting with Mr. Finland was the purpose. Mr. Finland had not known of the meeting with Norm and asked that Clive not mention Finland's call for a meeting. Clive agreed to meet with both parties that afternoon. When Clive entered Norm's office, Hilda Watson was present and they talked about the problems leading to the resignation of the aldermen. Hilda had said they had been embarrassed by the press release by the resigning aldermen, that they had planned to defend themselves unless the aldermen made a public apology. If the retired aldermen apologized, the 5 year prohibition clause in the Municipal Ordinance would be changed so that we could all run again. After leaving Mr. Chamberlist's office, Mr. Boyd proceeded to Mr. Finland's office. Mr. Finland told Clive they wanted to get this mess straightened up. He wanted to draw up a statement for us to sign. The five of us met on Saturday morning, July 21 at Henke's Body Shop and decided not to sign any statements but to let them draw one up so we could see what they would put in a statement. Clive phoned Finland and said we would meet on Sunday night, July 22nd, at Clive's house and consider a statement if he drew it up. We met as Clive's at 7:30 and read the prepared statement. It was drawn up as a press release to be signed by the five aldermen, parts of this statement are enclosed and I read from the statement. 'Remarks concerning Members of the Executive Committee particularly Chamberlist and Watson, as we look upon the situation now these personal remarks were unnecessary and regrettable.' This was the statement which was prepared by Mr. Finland which was asked that the aldermen sign, with a view therefore to rectify some of the statements that have been made in the past and in an endeavour to restore a more harmonious working relationship between the two levels of government, we wish to withdraw unconditionally all our comments of a personal

nature in our press release. Many city actions in the past have been ill-advised and improperly planned and have been accompanied by wide-spread and unnecessary publicity. Our resignation made it necessary for the Commissioner to appoint an administrator. We will lend our support to the Commissioner in his endeavour recognizing that our resignations from the City Council have not entirely clarified the legal question being asked of by the court of the Territorial Government. It is, nevertheless, our view that the resignations do clearly imply a high degree of uncertainty about our positions. We are prepared, therefore, with leave of the court to discontinue action for damages against the Executive Committee if the Executive Committee should see their way clear to discontinue their quo warranto action against us. In the hope that this offer can be accepted by the Territorial Government and that a better working relationship does ensue, we would appeal to all citizens of the City of Whitehorse to lend their support and co-operation to everyone concerned in this new departure. Needless to say, Mr. Chairman, when the aldermen left Clive Boyd's house, Clive Boyd phoned Mr. Finland and told them we were not interested in the statement and that they could pick it up in his office in the morning."

Mr. Tanner: Mr. Chairman, can I just ask the Member a question. I am not completely clear what the article is that you just read from. Is that the letter which you say the Executive Committee drafted for the aldermen to sign?

Mr. McKinnon: Yes Mr. Chairman.

Mr. Tanner: One other question. The reference, Mr. Chairman, to the name Clive all the way through this thing, I wish the memo would make clear that there is another Clive besides me.

Mr. McKinnon: "At about ten that evening, Mr. Finland and Mr. Miller arrived at Clive Boyd's home and spent about an hour trying to figure out what could be done. Finland assured Clive that the Commissioner wanted things cleared up and would agree to any reasonable proposal."

Mr. Chamberlist: A question I wish to ask, Mr. Chairman. Would the Honourable Member indicate whether this is hearsay by Mr. Lucier or was he actually at all these reported meetings. Especially the last particular one.

Mr. McKinnon: Mr. Chairman, Mr. Lucier was at that particular meeting.

Mr. Chamberlist: That meeting, at this particular time, what date was this?

Mr. McKinnon: At the 7:30 p.m. meeting at Mr. Boyd's house on July --

Mr. Chamberlist: Now the Honourable Member made reference to a particular meeting Mr. Chairman, at 10 o'clock at Mr. Miller's house. Is this hearsay or what Mr. Lucier said he was told he heard or was he actually there?

Mr. McKinnon: I am reading a sworn statement into the record by Paul Lucier as to his account of the events leading up to the appointment of the administrator. I should say leading up to the signing of the press release where the actions between the City of Whitehorse and the Government of the Yukon Territory were terminated.

Mr. Chamberlist: The Honourable Member has just said that what he is dealing with is after the appointment of the Administrator. I would ask, Mr. Chairman, to take note that the Motion deals with up to the appointment of the Administrator.

Mr. Chairman: Well yes, I wonder if the Honourable Member could be permitted to continue. I think that everyone gave all the members former debate on this question full freedom without interruption. Would you proceed.

Mr. McKinnon: Mr. Boyd made some suggestions such as removing the advisers to the Administrator and appointing the five of us with the full power of Council at our full

aldermanic salary. Finland agreed to discuss it with the Commissioner and phoned Mr. Boyd at 9:30 the next morning and said the Commissioner agreed. We met again at noon at the Sandman Motor Hotel. Mr. Boyd told us what took place the night before and asked if we could draw up some proposal and meet with Finland and Miller. We drew up some proposals and met with Finland and Miller at the library on Monday, July 23rd at 4:00 p.m. We discussed methods by which the elected members could resume control of City Hall and both the present Executive Committee Members, namely Mr. Finland and Mr. Miller made aware of the fact that this was our object. I said to Mr. Finland, what is the point of discussing these things with you. The Executive Committee has to agree with everything that took place. He told me that the Commissioner wanted this mess straightened up. Any proposal that the appointed Members of the Executive Committee presented that the Commissioner agreed with, would pass through the Executive Committee regardless of the wishes of the elected Members on the Executive Committee. The first proposal which Mr. Boyd had already discussed with them was to remove the four advisers to Mr. Oliver. Leave John Watts and appoint the five aldermen as advisers with full aldermanic pay of \$250 per month. Mr. Miller wanted to leave the four present advisers and add us as it would be embarrassing to drop beside John Watts already appointed. We refused and they agreed to drop the four. Mr. Miller stated that money was no problem as the four present advisers were paid \$25 per meeting and they could raise it up to \$125 per meeting for us which would give us \$250 per month. It was then brought up that the Territorial Government should pay our legal fees to this point. Mr. Miller stated that this could not be done but he could raise our salaries as advisers to \$250 per meeting and we could use the money to pay our own legal fees or do as we wished. It was also made very clear by the five ex-aldermen and agreed to by Mr. Finland and Mr. Miller that we would have full control over Mr. Oliver and he was to be only a Chairman of the meeting. Legal actions were, by both parties, to be dropped. We then discussed the statement which we had to agree to. Publicly apologizing for attacks made by us against Chamberlist and Watson in our press release when we resigned. We would not agree to do this and Mr. Finland said the whole deal hinged on this and if we refused, there was no progress to be made. It was also suggested that Mr. Wybrew was to serve on the Advisory Board. This proposal was agreed to only on the approval of the Commissioner as this was a new proposal that Mr. Boyd had not discussed previously. The meeting ended at 5:40 p.m. with the next meeting set for Mr. Miller's home at 22 Antwerp at 11:00 that evening. I refused to attend that meeting as things just seemed to be getting more amazing and more out of hand as we went along. Clive phoned me about 12 or 12:30 and said they had finally agreed only to a press release whereby both actions would be dropped. I told Mr. Boyd to take my name off the statement. This is a sworn affidavit of myself, Paul Lucier, to the events leading up to the signing of that press release by four of the aldermen who resigned their seats from the Whitehorse City Council and the Members of the Executive Committee of the Government of the Yukon. I do not suggest that everything discussed at the meetings I mention are discussed in this statement. But I do swear that everything in this statement is the truth as I remember it. Sworn by me at the City of Whitehorse in the Yukon Territory, 30th day of July, 1973, Paul Lucier" Mr. Chairman, a lot of this is political maneuvering, what maybe members in public would call political skulduggery but nevertheless, I think all of this acceptable to those people who have been in politics for any length of time. Not nice, not very above board, pretty sneaky, meetings, secret meetings all over the place. I put it to you, Mr. Chairman and Members of Council, that the one thing in this state other than the political skulduggery which was taking place, and the only word that can be used is "bribe", an attempt of appointed members of the Executive Committee to get the members of City Council who had resigned to sign a press release exonerating the Members of the Executive Committee. I have read to you a sworn statement that an appointed member of the Executive Committee was willing to use the taxpayers' money

of the people of the Yukon Territory in an attempt to buy peace from the resigned aldermen from the City of Whitehorse Council. I might also add to Honourable Members that this information was brought to me as far back as last Tuesday. At that time, even though I knew full well the weight and importance of it, I was willing to make a valued judgement of perhaps not bringing it to Council and not causing anymore controversy to the people of the Yukon Territory because I was so convinced and as I am convinced now, that the public of the Yukon, the people of the City of Whitehorse are sick and tired of all of this. Where do we stand now? We stand with accusations having been hurled in two days of what I can only call diatribe from the Honourable Member of Whitehorse East and the Honourable Member from Carmacks-Kluane. I have brought statements from people that I consider to be much more credible than those two Members, people who have shown me over the years that they are much more credible than those two people who have denied the allegations and innuendos and the untruths that these people have used with the protection of immunity of this House. That's serious enough and that's enough to destroy completely the credibility of this Council to the people of the Yukon. I say it really doesn't matter because the credibility of this Council was destroyed long before the latest command sick performance of the Honourable Member from Whitehorse East and the Honourable Member from Carmacks-Kluane but if that wasn't enough to destroy the credibility, Mr. Chairman, then a sworn statement following the appointment of the Administrator and the almost Keystone Kops tragedy and how pathetic as we watch the Executive Committee Members to finally, thank goodness, they must have been instructed from somewhere to get all the nonsense settled with the resigned aldermen of the City of Whitehorse and the lengths that they would go to to bring about an amelioration between the parties stated that the appointed members of the Executive Committee were a part overruled the elected members even if the elected members disagreed with the settlement of the impasse had it been reached but the one thing that destroys the credibility forever of this Executive Committee and this Executive Committee concept is the offer of money from the public purse of the Government of the Yukon Territory to attempt to ameliorate the situation, which I suggest that the Executive Committee of the Yukon has caused not the representatives of the municipality of the City of Whitehorse. I say to you as these statements that I have read, every part of them has been offered to the public outside of this House.

Mr. McKinnon: I say to you that every person who made these statements is prepared to answer questions and to stand up to the public and to the press in the Yukon Territory. As I say Mr. Chairman, it wasn't my intention at this Council Session and I think that by the way I have presented the facts, which are facts, the statement I have made with the prepared statement, with the affidavits that have been sworn which I have presented to this House today, have completely and absolutely, not depending upon any type of hearsay or any type of emotion to make my case show how serious I consider these charges and these facts which have been brought before Members of this Legislative Council. Mr. Chairman, it is my conclusion after having spent over two years in this House, and watched the conduct of this House, and the Executive Committee concept of this House just tear us and rip us apart as a Legislative Council. I would like to propose and move, Mr. Chairman...

Mr. Chamberlist: Mr. Chairman, before there is any motion, there must be opportunity of a rebuttal to these statements which I consider to be false even under affidavit, and I would ask...

Mr. Chairman: Order.

Mr. Chamberlist: Mr. Chairman. I would ask Mr. Chairman, that before any motion is taken that we deal with the subject matter and have the opportunity to speak. And I would ask all Members to agree that these statements that have been made at this time require rebuttal, and I would ask Mr. Chairman to put this to Committee.

Mr. Chairman: Order, please.

Mrs. Watson: Mr. Chairman, I would also ask that copies of these affidavits be made available so that we can make a rebuttal because there are very detailed amounts of hearsay written that need very definite answerings.

Mr. Chairman: Order please. It is quite confident for Members of the Committee at any time not to move a new motion in respect of a motion under discussion but it is quite within their prerogative to move an amendment at any time they so choose. Certainly the Chair will exercise every latitude possible so that all the matters related to the motion or to any proposed amendment, that it has the fullest and broadest discussion possible, but I can't accept the point of order as raised by the Honourable Member because it is quite confident for any Member to at any time propose an amendment to Committee for a motion under consideration. Please continue.

Mr. McKinnon: Mr. Chairman, I would move, seconded by councillor Taylor, that Motion No. 3 that all the words after this in Motion No. 3 be dropped and the following words substituted, so that the motion will read, that in the opinion of this 22nd Wholly Elective Council the Governor in Council be requested to dissolve this presently constituted Council of the Yukon Territory at the earliest possible moment and that a new election be called pursuant to section 9 of the Yukon Act.

Mr. Chairman: You may proceed with your discussion.

Mr. Chamberlist: I wonder, Mr. Chairman, if we could break at this time so that I can continue with my discussion at some length.

Mr. Chairman: It had been the intention of the Chair to break at a quarter to 4:00, which is our normal time. Could you continue with your discussion.

Mr. Tanner: Mr. Chairman, I would like to support the Member in that I think a break right now would be very beneficial to all Members.

Mr. Chairman: Committee agreed? I declare a five-minute recess.

Mr. Chamberlist: Five minutes? Why five minutes?

RECESS

Mr. Chairman: I call the Committee back to order. We have all the circulated copies of the amendments and proposed amendments and copies on the date they were requested by Committee. I will read the motion to amend as stated: It has been moved by Councillor McKinnon, seconded by Councillor Taylor that all the words after that in Motion No. 3 be struck and the following words be substituted so that the motion will read: "That it is the opinion of this 22nd Wholly Elective Council that the Governor-in-Council be requested to dissolve the presently constituted Council of the Yukon Territory at the earliest possible moment and that a new election be called pursuant to section 9 of the Yukon Act. Shall we proceed.

Mr. Chamberlist: Mr. Chairman, I wonder if we could just get these in order of documents submitted by the Honourable Member from Whitehorse West so that I can see them so that I could have just a few minutes while this is being done. O.K. Mr. Chairman, I am ready to proceed. Mr. Chairman, I think over the past weekend, there must have been a very historical conference taking place at Quiet Lake. I say historical, because obviously the paper work that has been done in such a haphazard manner surprises me especially with such an eminent member of the legal profession being there to prepare all this paper work. I heard the Honourable Member from Whitehorse West make specific reference to affidavits. Yesterday, Mr. Chairman, there was, before this was to take place, Mr. McKinnon the Councillor from Whitehorse West said this, Mr. Chairman: "Mr. Speaker, information has been brought to my attention affecting the conduct of Territorial and Federal officials in the rights and privileges of this House" and certainly at this time I don't see anything there that involves rights and privileges of this House. Now, Mr. Chairman, the method of the submission of this paper work is very, very surprising indeed, although I haven't had time to study it, I am just going to rebut from the basis of the notes that I have taken and the remarks that have been

made. You know, one of the very principles that are involved when people who are leading and guiding those that are not able normally to put together an argument of this nature, is to get the jury confused as to authenticity, and this attempt has been made, to confuse Members of this Committee in the whole particular area. And I don't think it has been very successful really. The second point is that I think an attempt was made to produce as much irrelevancy as possible and to deny minor points which are capable of being denied and the irrelevancy of denying most of these minor points are fairly obvious. And also, there is always, when a defendant is trying to defend his actions, what does he do. He alleges misconduct on the part of the prosecution even though the misconduct there might be so minor, but the point is to gain sympathy. And I cannot but help recognize that with the greatest of care everybody apparently took that great care not to deny the main charges, because that would have invited repetition. I said on Friday, I said, I see that there is nothing wrong at all in people having shareholding in companies. Everybody does that. And I omitted deliberately and left out those small shareholders who are in no way involved in, to use the words of the Honourable Member from Whitehorse West, the political shenanigans that he and his friends have been participating in for so many years. I made no reference to any shareholders and I think it is atrocious that Members of the Territorial Public Service should be brought into this dispute by the Honourable Member by suggesting that these people have shares in certain companies while they are employed with the Public Service of the Yukon Territory.

Mr. McKinnon: Mr. Chairman, may I rise on a question of privilege, please.

Mr. Chairman: Go ahead.

Mr. McKinnon: Mr. Chairman, the Member has been going on for over three minutes. He has already made suggestions to the conference which was held at Quiet Lake. There was no conference at Quiet Lake on the weekend. He has made suggestions that I have been defaming Members of the Territorial Public Service. I never made any statements in any of the remarks that I have made. He has been imputing motives on his Honourable Members since he has risen on his feet this time and I think that is definitely against the rules of this House. What are we proving in all these questions of privilege? Just one after the other, which are valid? Because what I am saying are the facts. And what is going to be gained by it. We are just going to sit here, the Honourable Member can call me names for time immemorial, I can call him names. We have a credibility gap here that is indefensible and we just can't come to any kind of a solution. Why don't we vote on the motion and let the people decide what is going to happen and go home.

Mr. Chamberlist: Mr. Chairman, whatever point of privilege that was, that was simply an interruption, because I was ...

Mr. McKinnon: Mr. Chairman, on the point of privilege, the Honourable Member made a statement as a point of fact, right from the beginning, and it wasn't a statement of fact, and this Honourable Member stands up and is saying that the Honourable Member is incorrect, that he has made a statement that was not factual, that there was a hasty conference called at Quiet Lake over the weekend. I have never been to Quiet Lake on a camping or a holiday trip. I have been there working when I did some work for the Department of Public Works during the summertime. And I don't know how he can say that.

Mr. Chairman: Order.

Mr. Chamberlist, Mr. Chairman, if the Honourable Member, Mr. Chairman, would recall, I said "There must have been a very hysterical conference there" if the Honourable Member says there wasn't, then I will accept what he says, there wasn't.

Mr. Chairman: I wonder if the Members would just stay to the relevancy of the matter in question-

Mr. Chamberlist: Well, Mr. Chairman, apparently there was relevancy when the Honourable Member spoke, now there is no relevancy when I speak. Mr. Chairman, to come back to my thought before I was interrupted, the suggestion that was made on the point of privilege, that the Honourable Member had not made reference to Mr. Hildebrand and Mr. Al Oster, civil servants, one a member of the Public Service of the Yukon Territory, one a member of the Public

Service of the Federal Government, suggest that now when everybody heard it, I can't understand his point. But however...

Mr. McKinnon: Mr. Chairman, may I rise on a point of privilege again. I think if the Honourable Member will check his remarks, he remarked to the fact that I am dragging them in. But is it fair when the Honourable Member himself is the first one to say "Great. Let everyone have shares." Anybody can have shares in companies, that is why I was making the point. That is the point on how ridiculous his allegation is. And he seems to say that I am defending these people. He says that I am dragging them in, and I am not at all.

Mr. Chairman: I wonder gentlemen, if you would both as much as possible refrain from getting under this little personality type of thing, and get back to the matter in question and at hand.

Mr. Chamberlist: There is no question that I want to get into any personalities, I am just simply bringing in along a particular area where I do not bother about people having shareholdings. That names were brought in by the Honourable Member. I wouldn't do it. Not unless they are politically involved in the manner that they have been. Now let's go from there. The suggestion about pole rights. Obviously WHTV had pole rights a long time ago. Long before Mr. Choate was connected with the company. I just am showing that there was association. That is what I was showing, and I am pleased that they are not denied at this particular point. Now, I haven't maligned people, I have given information. And yet I will give this information to the press, I will give them a press release of where I got the information from, I got it from the files of the companies, the shareholdings of the companies that I examined, the directorship of the companies that I examined, the associations between all the companies are recorded in the files of the Territorial Government and the Territorial Secretary's office available to everyone. And these are the fact that I have given. There has been nothing that I have said in the last few days which can be questioned as to fact. One particular item has been misinterpreted by Mr. Erlam, and I will come to that particular point in a moment. I know all these people for a considerable time, and as I say I am finding it difficult to follow the point by point situation here because I didn't read them and perhaps we might be able to deal with them afterwards. And these points about the Mayor and not the Council, and that it is only the Council...we are talking about that. Certainly it is only the Council, and if there has been a suggestion that the Mayor only did this, we are not intending that. But the Council did certain things without that authority. And this thing of trying to hide it and cover it up seems to be quite ludicrous. I cringe to see that although affidavits were being let out, there is only one affidavit that I have found so far that shows a notary public taking this affidavit, and that is the one that Mr. Erlam has signed, an affidavit properly made out. Let me see now. I see here one document, "Sworn by me at the City of Whitehorse in the Yukon Territory the 30th day of July 1973, Robert Leonard Byron. But it is not an affidavit. It is not affixed by a notary public or a Commissioner for Oaths. This is supposed to be an affidavit. Who is fooling who? Now let's go to Mr. Hougen. Mr. Hougen's is a statement. Why doesn't he make an affidavit? I would welcome to see his affidavit with some of the remarks that he made up here, for the simple reason that they could be placed in the proper place at a later date. I see here, "This is a sworn affidavit of myself. A.J. Wybrew." And it says here "Sworn in the City of Whitehorse in the Yukon Territory this 30th of July, 1973". I can't find no notary public, Mr. Chairman. This is supposed to be an affidavit. This is fantastic. Here they have the guidance of a member of the legal profession, and there is no affidavit. Let us take a look here...

Mr. McKinnon: May I rise on a question of privilege?

Mr. Chamberlist: Oh...

Mr. McKinnon: The Honourable Member said that there was a legal adviser involved in this. I have to say that as a point of fact there was no legal advisor involved with this. I asked everyone of those people as an individual Member of Council to

swear me an affidavit. I don't even know what is entailed in swearing of an affidavit. Everyone of them said that they would swear an affidavit and everyone of them said that they are willing to bring an affidavit in the proper sworn form before this Committee and before this Council and before the public. And if they are out of order, I can bring them to you in order in no uncertain terms.

Mr. Chamberlist: Well that is very interesting, Mr. Chairman, but I am just pointing out the fact that the Honourable Member who is apparently so efficient has found that he is not so efficient. Now I come to the statement of Mr. Hougen, who doesn't know what an affidavit is. Now we find another thing, that there is another document signed by Paul Lucier, sworn by me at the City of Whitehorse in the Yukon Territory. But at the bottom it says a peculiar thing. It says: "I do not suggest that everything discussed at these meetings are mentioned in this statement. But I do swear that everything in this statement is the truth as I remember it. Sworn by me." Let us have a look at Mr. Nielsen's. Does he have one here? Where is Mr. Nielsen's? Oh, here is one from Mr. Nielsen. Now here is a most amazing piece of document. Mr. Nielsen, a member of the legal fraternity in the Yukon, A.Q.C. "Erik Nielsen, July 30, 1973." Surely, now, Mr. Chairman, Members of Committee, the Honourable Member from Whitehorse West cannot rise on a question of privilege and say Mr. Nielsen doesn't know what an affidavit is, because that would be the height of idiocy. Surely now, now as I say, the only document here is the one carried by Mr. Byron - er - Erlam. And I want to speak on this particular affidavit. I want to make this quite clear. That if Mr. Erlam thought that I was making reference to him, I regret it. I too have known Mr. Erlam for many years, and I can say with all honesty that there has never been a harsh word spoken between him and I in all the years that I have known him. I know when he left the Territory, I know when he came back, I know when he got a job working for me, I know when he started in the Star, my son grew up with him, my son and his son are still the very best of friends, so we know just as well. And there is no doubt in my mind. I would explain what I did say. I was making reference to the editor that they have, and the words that I remarked then surely apply that I said the Government of the Yukon Territory the people of the Yukon Territory owe a vote of thanks to Mr. Erlam, and I will complete it because I was interrupted by Mr. Chairman at that time, for taking away from the education system the man he has now as editor, because now the contamination of our children won't come into effect. Yes, Mr. Chairman, I am just making an explanation so that the person who made the affidavit will understand --

Mr. Chairman: Would the Honourable Member conduct himself in that order.

Mr. Chamberlist: In fact, Mr. Chairman, I can say this: When I was asked by the press what I think of Mr. Erlam making a protest, I said then and I say it now, everybody's got the right to what he says about our system of government. Mr. Wybrev's statements, unfortunately, I haven't got the time that I should have to go through the particular items stated here but if Committee will just bear with me while I deal with some of these most amazing statements. It is pretty difficult, Mr. Chairman, for me to abide by that rule because Mr. Wybrev is not in the House but because I am faced with what is a statement of his, I have to reply to it. Now, Mr. Chairman, when Mr. Wybrev has suggested that certain things have happened, certain things didn't happen, he doesn't make any reference at all to the charges I made that he did not fulfill his function as chief executive officer and complied with the laws, the by-laws and the Municipal Ordinance. There is not one reference to why as I said earlier, it goes to the minor things and you don't answer the main charges. And in Mr. Wybrev's statement, the main charges are not answered at all. So let's see if anyone else has answered the main charges. Let's deal with Mr. Nielson's statement. He says in actual effect that it is shameful, cowardice to hide behind the privilege of immunity. Mr. Nielson can rest assured that the information that I have gleaned from the documents and the company records I will be quite prepared at any time to say it outside of this House. They are the records of the companies, that the fact that he was a shareholder in 1954, transferred his shares in 1958 and had them transferred back again to him in 1968, within a month trans-

ferred them back again to his associates. That is the information, that is the information that I will swear. That is the document of the Yukon Territory. I say this that the shareholdings in Arctic Investments. Mr. Chairman, the investment company I say holds the control of Hougen's Limited because it has a mortgage over fixed assets. There is a document registered with the Government of the Yukon Territory, I will say outside this House that I have seen this document. I will say outside of this House that I have seen a further document which sets aside the claim of Arctic Investment for a certain period of time for another trust company. I will say this outside of this House. That's what I will tell Mr. Chairman, the Honourable Member, whether it's the truth or not. I have been, from the records. I will say also this that Arctic investment have interests in these other companies. I have searched the companies files. I have seen them myself and I will also make the statement outside this House. I say that the lack of proper authenticated affidavit sworn before a notary public, I would have taken his affidavit myself if he liked because I can do that, I am a notary public. But what does he say in there? Is he denying anything, no he's not. He's just complaining that I might have diarrhea sometimes. This is all it is Mr. Chairman and then we all get sick at times, Mr. Chairman, and I hope he's not suffering from that himself at this time. Well, we'll leave that for a moment. Mr. Hougen says this, and this somewhat annoys me. And never at any time was there any suggestions that the Hougen's Limited Company shareholdings was anything but a family unit but that Hougen's Limited itself, as I said, mortgaged to the investment company where Hougen's in his own name and Erik Nielsen were the first and second shareholders. And again I will say outside this House, I am not afraid of any threats of court proceedings. People know that courts don't fear me and I don't fear courts for the simple reason that our judicial system is set up in such a manner that people that feel that they have been wronged Mr. Chairman can go to the courts to have that wrong corrected and anybody that argues against the principle of our judicial system are arguing over the principle of right over wrong. This is true and this is where Mr. Hougen has made a true statement and nobody suggested nor did I ever suggest that Mr. Nielsen was a director of one of those companies. Have a look at the records. I said that Mr. Nielson through his trust holdings was a shareholder in the company that maintained this contact with each other and the association and Mr. Hougen says here Hougen's Limited is strictly a family company with no outside shareholders. I agree with him on this point. It goes on to say that Erik Nielsen is not a director or shareholder with any company which I am associated. I say wrong and I say this outside because I know where the trust fits and not only that at the time of 1968 to the transfer of shares it shows at the point of record that at that time Mr. Nielson was a shareholder in those operations. Now I know that lawyers play zingy-wingy with share certificates and it is pretty difficult at times to get some of these deals straightened out. One of the other persons who has made a signed statement here, he's so used to transferring shares and juggling that with such a gift that he is a past master and it's done by the same legal firm that deals with these people. So as far as I am concerned that's completely without merit. Mr. Lucier's documentation, you must forgive me if I smile at this one, this is the most ludicrous piece of nonsensical rubbish. I wonder who got all this together for him because I know that he's just not capable of doing this kind of thing, he's just not capable. I see it's his signature, I recognize his signature but you know it's the most amazing thing that here we have documentation of things that have taken place and things that have been said, that I say poor Paul hasn't he ever suffered enough to be sucked in in the manner he has been in some of these things and now he wants to put his head on the chopping block once more. I have no comment on him. Let's come to Mr. Dumas. Mr. Dumas with his great challenge, challenges me to resign and seek election and run against him. I would dearly like to see that the mover and the seconder who are so concerned with destroying this Territorial Council show what kind of guts they have got and resign their seats and go to the public and say look, this is the situation, put us back again. Do the type of things as did the former member of Territorial

Council, John Watkins. He said "I disagree with what's going on in here, I will resign and go back to the people". He did that, he had the guts to do it but there certainly is a lack of intestinal fortitude amongst the members who have put this motion forward and why is this motion put forward at this time like this. I'll tell you why, might I suggest, and it was allowed to go through and I didn't realize at the time that it was Mr. Chairman, with due respect who seconds the motion as Member for Watson Lake. Then pushed to have Motion #3 dealt with because the first Motion is the motion that deals with the appointing of the Administrator so that this Council can exonerate the Commissioner because he carried out his duties. And the Members who have put this motion forward they wanted to do one thing, they wanted to swipe the Commissioner and now he's not in the position at this time to get up and talk to you and tell you what I have said because there are certain things he can't do. That's obviously what has been done here, it's the attitude now that the poor Commissioner, you know he's responsible now. As a matter of fact these positions of responsibilities Mr. Chairman are talked about so often, one day I've got control of the whole government, next day my colleague from Carmacks-Kluane and myself have got control of the government, third day it's we three, we've got control of the government. After that, the Commissioner's got control of the government. You know, they say the Minister of Indian Affairs has got control of the government, I wish some of these people who are just bleating and spitting out these words of wisdom make up their mind actually what is going on. And you know, it seems to me and I think it's because the deal that is taking place here that it is necessary to read a couple of remarks that have been made by the Honourable Member from Whitehorse West. When the Executive Committee was set up and this Council was formed, he said this and I am quoting from Votes and Proceedings, Volume 1, 1970. I will just read into the record some of the things he said and Mr. Chairman, we've got to think about these things. First of all he says "I think you should have a member from outside of Whitehorse and I think you should have a member from inside of Whitehorse". So he got his way, he got a member from outside of Whitehorse, he got a member from inside of Whitehorse. What he was really saying "I think you should have a member from outside of Whitehorse but you should have Ken McKinnon member from inside of Whitehorse". And then he went on to speak about me and he said "Mr. Speaker, I think the Honourable Member from Whitehorse East is elected by the people on his ability to be able to keep any executive and any administration or any government in line". Now isn't that amazing. The Honourable Member can really look at this because he should take a real look at the things he says, 1970 Volume 1, Page 56 about a third of the way down. So he said this of me and I think that the Honourable Member from Whitehorse West was elected by the people on his ability to be able to keep any executive, and any administration and any government in line. Now I have been accused of keeping the Executive Committee in line, I have been accused of running the Government. Well, this is what he wanted me to do. Now I am accused because I did what he wanted me to do. Now let's go further down, he says here "From my association with people over the last week", this is the Honourable Member from Whitehorse West speaking, Councillor Kenneth McKinnon, "from my association with people over the last week" and this is the only way that we have to judge the record of the people in this House at this time, "I have found the Honourable Member from Carmacks-Kluane to be a tough, competent and able member of government. She has also proven her ability as a housewife and a mother and a teacher to do things and go about doing things in a proper and very right manner". Now could you possibly believe that there's a change of mind. What happened? What happened, Mr. Chairman. Was it the influence that was directing against his own desires and his own thinking. You know these things that are placed on the record, every now and again come up to haunt the Honourable Member and I think that we should recognize that the Honourable Member be haunted occasionally although he probably thinks that I haunt him quite often.

Mr. McKinnon: Three hundred and sixty-five days a year.

Mr. Chamberlist: Well, good for me. It's deservent obviously. There is a specific -- in that particular ..

This is really remarkable, Mr. Chairman. He says this, this is Councillor McKinnon "I am prepared to let my name drop from the appointment from any and all positions in this House. Mr. Speaker, I say this because my living outside this House is as a broadcaster and I have to be in an area where I am independent so that I can be objective when doing this. If you remove me from the Executive Committee and remove me from the area where I make my living, it is impossible for me to continue externally or internally." Now, Mr. Chairman, he was never appointed to the Executive Committee and he's crying with crocodile tears about being removed from the Executive Committee. What a fantastic man, he is. Talking about credibility and I am working on this because it is the basis of credibility that the Honourable Member has been speaking of. The credibility of the Honourable Member from Carmacks-Kluane and myself and the credibility of the Honourable Member.

Mr. Chairman: I would just like to remind the Honourable Member that his time expires in five minutes. Does the Committee wish him to continue? Proceed.

Mr. Chamberlist: Yes, the Honourable Member exclaims "thank God". I should think so, I should think so. At this time he would like me to have laryngitis I am sure.

Mr. McKinnon: Mr. Chairman, I wonder if I could ask the Honourable Member just one question. If he used his \$20,000 a year signature as a Member of the Executive Committee to go back to the Votes and Proceedings because if I were in the same position... If he thinks he's embarrassing me in the least, some of the remarks that the Honourable Member has made in the Votes and Proceedings and if I had his time and the ability to waste the taxpayers' money of doing that for my endamity in the Yukon Legislative Council, we could have fun at this for months on end and nothing would be proven.

Mr. Chamberlist: I would like to inform the Honourable Member that long before I was put on the Executive Committee, I had a record of doing my homework and work before I was on the Executive Committee and when I was operating three businesses at the same time. I still never failed my duty to know what is going on in this Territorial Legislature. But, I would like to remark that the Honourable Member in sheer frustration said this, "They may as well take the bread out of my mouth as well as the knife out of my back". He failed to get an Executive Committee Member's position. How pathetic, how pathetic.

Mr. Chairman: Speaking from the Chair, why don't we get back to the relevance of the motion. This has a tendency of bordering on personal attacks again. I think that we more or less determined that we would attempt to get back to the issues on this matter.

Mr. Chamberlist: I am getting.. But, you see, Mr. Chairman, with respect, I'm sure the Honourable Member, he may not recognized this, but I would draw his attention to it. When a person in debate raises a subject matter like his credibility. I have the right to rebut it and this is my rebuttal as to credibility and I would ask the Honourable Chairman to not interrupt me when I take the right approach in debating and that is placed on the very thing that was raised by the Honourable Member.

Mr. Chairman: I don't think it is the prerogative of any Members who direct the Chairman of any Committee or the Speaker of the House as to how he is to conduct himself, attempting to be as wide in permissiveness and yet is fair as possible in this debate but I find that the Honourable Member is bordering on issues which I have already cautioned him on and I would suggest that the Honourable Member should keep his argument as relevant as possible to the matter in question.

Mr. Chamberlist: Well, we will try and do that to satisfy Mr. Chairman. Mr. Chairman, I am now going to quote from this Votes and Proceedings and put it to the Honourable Member from Whitehorse North, that is Councillor Tanner because I think these are important

and I think that they should be recognized in what debate they are in. It is important for this because there have been submissions, rebuttals and now rebuttals to the rebuttals. It's all the closer. The Honourable Member said, "If all Members of this House realize that throughout the past week, a process of growing maturity on the establishment of another fine tradition has in fact taken place. The past Council, and in particular the present three Members who sit on this Council from the last, worked very diligently towards some measure of self-government for the people of the Yukon. The position that I sat during the past few days, to the logical extension of their efforts. But, even at that time, two years ago, when I say, I am talking about credibility being fact. Councillor McKinnon at that time was still attacking us on political machinations, and this was only what this Council has only sat for nine days, four of the Members were fresh members and he was attacking the same. He referred to a politician crawling out of the woodwork. This is how he attacked all the four Members without naming them, so we're the three of us who are left from the last. Credibility, yes, my friends, that is credibility. I must tell you, what has been placed forward today, Mr. Chairman, there is paper work and back-up work. Specifically, now, I'll deal for a few moments with Mr. Byron. I'm just going to say this. This might have been sworn by Mr. Byron but again I say that he took great care not to deny the main charge. The main charges I made against Mr. Byron that he was incompetent because he did not fulfill the function that we in this legislative body had provided for the City Manager to fulfill. Now, let us come down to the last one, Mr. Dumas. Mr. Dumas, the former Member of this Territorial Council, during his time in this Territorial Council, that it is a thin, sound, logical manner. He left Territorial Council, did not run again, did not seek election again, because as he so put it, as many people, he was interested in getting on his feet and expanding his business. And this was quite proper, the young man with lots of years ahead of him, the Honourable Member for Whitehorse West is a capable man, at times when his emotions do not overcome him, when he's capable comes forward with ridiculous attitudes. The ridiculous attitudes were that nobody can criticize certain people but they're permitted to criticize others and Members on this Council should be acceptable. At the hands and the mouth of Mr. Dumas through his connections with his radio show, I and my family suffered immensely. But, I have never attempted to make him suffer in return. Because sooner or later, and it has happened now. That the public have awakened to this person. And I say this, again he had the document which is a statement but he hasn't sworn it by affidavit. And he says, he challenges Norm Chamberlist to resign his seat and face me in a by-election for Whitehorse East. But, I made a commitment for four years, and I am going to keep it, but I say this once again, that those Members are persistently trying to overthrow this Council and its work and I say if you really are sincere that you have an argument to put before Joe Q. Public, do it, for God's sake do it. And then you might define that your popularity which you think exists has been dissipated by the conduct of the association with which especially the Honourable Member from Whitehorse West is connected with.

Mr. McKinnon: Mr. Chairman, I wonder if I can ask the Honourable Member one question. He's made this challenge before, and I took him up on it, I'm still prepared to do exactly the same thing. I ask the Honourable Member if I resigned my seat, a by-election were called, and if I was re-elected that he would consider that to be a vote of non-confidence in itself and resign. The Honourable Member throws these challenges around. He neglects to say that he refuses to take me up individually on my offer and I put it to him once again.

Mr. Chamberlist: Mr. Chairman, I've made my position clear. I don't play games with the public. The public has put me here for four years. I have no argument with the public but if the Honourable Member has an argument to place before the public, it is his responsibility to go to them. That is the thing to do, but there is an impossibility here because the Honourable Member is very worried that his shenanigan is perhaps

being recognized by the people in this constituency. I know that the Honourable Member when he was for Whitehorse North that the constituents therewere in trouble. I had to go and help him on a particular meeting because the people were going to go for him, real bad, I remember that, you know. I remember, too, that the people of Porter Creek and Crestview, unfortunately because of this whole situation of suffering that had to be increased and they are getting nothing extra for it, because there has been negligence all the way along the line, in that particular area and the Honourable Member for Whitehorse North had been struggling to give those people the things that they want but under the present situation with the control of the City as it was in the hands of a few, the Porter Creek and the Crestview Areas where neglected.

Mr. McKinnon: May I take it, Mr. Chairman, that the simple answer to my question was no.

Mr. Chamberlist: It's not that simple, you go to the public otherwise there is your cowardice.

Mr. Chairman: I think at this point and time, I'll stand Committee in recess until 7:00 o'clock tonight.

RECESS

Mr. Chairman: At this time I will call Committee to order, and we were discussing the amendment to Motion No. 3. Proceed.

Mr. Chamberlist: I was wondering Mr. Chairman, if in view of my very last remarks, that consideration will be given to clearing first Motion No. 1, because Motion No. 1 is one that deals specifically with the Commissioner having the right to appoint an Administrator. I wonder if we could vote on that and get it cleared away, one way or the other. If Members would agree to this, I think we could get on with the others, I think that is very important.

Mr. Chairman: Just from the Chair, I think at this time we are discussing an amendment to Motion No. 3 and I think we should deal with this matter and get it resolved and then deal with other motions.

Mrs. Watson: Mr. Chairman, I have some remarks that I would like to make in regard to the submission that Councillor McKinnon made earlier today.

Mr. Chairman: Proceed.

Mrs. Watson: I refer to the only affidavit in this so-called file of affidavits that Councillor McKinnon presented today, and that is the affidavit from Mr. Erlam in which he states "That the opinions expressed by Mr. Chamberlist are his own and I am satisfied to have the decision on the truthfulness of the remarks to the general public who read the Whitehorse Star. I am satisfied that the remarks are ill-founded and cannot be substantiated on the facts as they actually exist." But in this whole pile of submissions that Councillor McKinnon submitted this afternoon, there is not, there is only one single denial of the allegations that were made here on Thursday and Friday. Only one single denial. In fact, there are admissions all the way through them, and if you go through them thoroughly, you will see where the admissions are, and I would agree very much with Councillor Chamberlist's remarks earlier today that this is just a smoke screen to get away from the issues that are actually as stated. And I think this is again where the Councillors around this table and the members of the general public are again being duped. In fact I am quite disappointed by Councillor McKinnon's submissions. I thought that he would have some very worthwhile, definite specific rebuttal. In all of this he came up with one. I would like to refer also to the statement of Mr. Byron, his so-called affidavit of Mr. Byron, which I believe was done on a city typewriter...

Mr. McKinnon: Oh, picky, picky...

Mr. Chairman: Order please.

Mrs. Watson: "and without any further instruction from City Council signed a legal contract prepared by that

firm of lawyers to purchase a lot". And in the Hobbs Inquiry, this is exactly what Mr. Hobbs stated, that Resolution C163 gave the City Manager the authority to negotiate the purchase of the five lots, it did not give him the authority to proceed and purchase the lots. And Mr. Byron is not denying that at all. He said that the Council was kept aware of negotiations but in no way does he say that he was given the permission to actually purchase the lots. The matter of the cheques. The information I have unfortunately, the date I submitted was July 30, a copy of the cheques which have now been produced were dated August 30, however the accounts were not cleared until September 11, in fact there is an admission in this reply from Mr. Byron that the cheques were issued eleven days before the City Council actually gave authorization. What is the difference? 41 days or eleven days. You still go ahead and issue the cheques without authorization. In referring to the statement I made, notwithstanding the defeat of the plebiscite, it subsequently was ascertained that the Mayor personally entered into a contract with a firm to buy the equipment. Who else but the Mayor should enter into a contract? We just had an example, with the purchase of these city lots, where the City Manager entered into the contract, and as I said before, it is unenforceable by law. Apparently the Mayor had entered into this contract to purchase the equipment, but in this statement they are not denying the fact that the plebiscite, when they had gone to the people, requesting authority to purchase the equipment, the people had turned that plebiscite down, notwithstanding that the contract had been signed. It is an admission again. Talks had already taken place behind closed doors at the City Hall regarding the purchase of those five lots and at the same time at the same City Hall the budget was being prepared. Absolutely no denial. They referred to articles in the Whitehorse Star. Again, when I refer to the meetings when three departments of the Government at a confidential meeting, true enough, with the City Manager to discuss the zoning by-law, and the point I made was the fact that an agreement had been reached on the main thrust of the letter and when the letter was presented to the City Council, again the Manager indicated that this was another way that the Territorial Government was harrasing the City. There was no denial of this whatsoever. And the concerned citizen - there was an article in the newspaper where Mr. Byron had certainly referred to himself as a concerned citizen and Mr. Hougen has admitted publicly over the radio station, that he had received a LIP Grant in order to do the work on the boats. There is no denial of this at all. The private meeting with Yukon Electric - there is no denial; in fact Yukon Electric admitted it in a statement on the radio on Friday and again today. Notwithstanding they had a private meeting with NCPC, but NCPC didn't make them a proposal, but there is no denial of it. But that meeting hadn't been made public to the people of Whitehorse, so actually this statement is an admission, an absolute admission of the facts that were brought out the other day. I haven't had time to thoroughly go through each of these, unfortunately, but I am not going to ask for any more time because I don't think these issues should take up any more time in this House, or in the City of Whitehorse. The election has been called on September 20th. We will have a City Council and I hope that is the end of the matter. I have here former Alderman Lucier's statement. And I regret Alderman Lucier's statement very much. It appears to me, and I hope I am wrong, that Mr. Alderman Lucier is a man of little honour. He doesn't seem to know what the word negotiate means.

Mr. Chairman: Again, I would rule that statement quite out of order. Again, we cannot cast aspersions upon those who are not in the House to defend themselves in the same manner it is not permitted to cast reflections upon other Members in the House.

Mrs. Watson: Agreed. However, some of the things in his statement are implicating four other people who are not a part of this statement. And because of that I don't want to make any remarks on the details that are in this statement. These people do not want to get into a confrontation here in Territorial Council. I don't blame them and for that reason I am not going to deal with his report in any detail. Other than if a sworn statement where he gives word for word conversations that took place with another alderman, Councillor Chamberlist and myself. It is a sworn statement. He

wasn't there. How can he know word for word what was said? And the statement that I really was quite disturbed about was the statement that was written by Mr. Nielsen, Erik Nielsen, on a plain sheet of white paper, dated July 30, signed Erik Nielsen. And his statement does not deny, not once he doesn't deny any of the statements made here in which we connected him, through his co-directorship with J. Dumas, and Yukon Investments, and Dumas Realty, he does not deny the conflict of interest acting on behalf of John Dumas personally, and for the company, through the period which includes the negotiation, the purchase of the lot, the payments for the lot and the Hobbs Inquiry. He does not deny acting as legal advisor for the companies that Mr. Chamberlist outlined, he does not deny acting at the same time as the legal advisor for the City of Whitehorse and the five individual aldermen, he does not deny these charges made the other day. This information was not made the other day, but he does not deny being the legal advisor for Dumas Realty and John Dumas personally, for the City of Whitehorse and also being the legal advisor to the person who lent him the \$50,000.00 to get him out of financial trouble, at the first of the year. At that time, when this loan was made on January 12, it was negotiated as a short term loan and it would only have to be a short term loan because the understanding was given that it was that Mr. Dumas has a deal going for the sale of the five City lots. And that was on January 12. The purchase of the five City lots was also discussed at the City Council prior to the April re-election. It was quite a length of time prior to the April re-election before it was officially reported. And no wonder that this conflict of interest, Mr. Nielsen thought better of filing an affidavit which would have left him open to perjury, and instead he put his statement on a plain piece of paper dated today. Unfortunately, I haven't had the time to thoroughly go over Mr. Dumas', but I think the statements I have made about the conflict of interest, a lot of you people will be able to draw your own conclusions. I haven't been able to go over Mr. Hougen's. Mr. Hougen is just denying the charges. That is all. And on that, Honourable Members, I rest my case. Today was just another outburst by Mr. McKinnon, one of the boys in this Council who likes to stir up trouble and take the interest away from the real trouble. And I am sure that the Honourable Members around this House will know that there were many things that were much deeper than the statements that Mr. McKinnon brought forward today. And I hope that when the vote is taken here tonight, that it will be the finish of the Territorial, Territory and City feud and that we can let the candidates who are running for city election run on their own issues and on their own policies and that the City can go back to an elected democratic type of government again.

Mr. Stutter: Mr. Chairman, I was wondering if either of the Members elected to the Executive Committee would answer one question. And that is if either of them were aware prior to the submission that has been put forward by Councillor McKinnon, of the charges of bribery to the ex-aldermen if they would sit in an advisory capacity with the Administrator. If they were aware of this transaction that went on with the appointed Members of the Committee.

Mr. Chamberlist: Mr. Chairman, let me say this. The accusations that were made against senior officers of the Territorial Government are completely without foundation. I think that Mr. Chairman has from time to time stopped me when there have been suggestions that I have been impugning somebody that is outside this House. Yet when those accusations were being made, read into your record, nobody could stop him from continuing that. I can say this directly in answer to the honourable Member from Dawson City, that I do not believe that there is one iota of truth. That men of principle like Mr. Frank Fingland and Mr. Merv Miller would ever stoop to the type of suggestions that have been made. The answer to that is that we were not aware of anything and I know for sure that it would not have happened and could not have happened. To me there is one thing that we must consider. It is the rats running for cover.

Mr. McKinnon: As one of the boys, I am sure glad that the Honourable Member looked over this way because I think he is still disturbed about the remarks that I made about rats a few nights ago.

Mr. Chamberlist: What did you say. I don't remember.

Mr. McKinnon: I likened the Honourable Member from Whitehorse West, Mr. Chairman, now that he has asked he has given me the opportunity to do it, as one of the first cases in history that was ever documented of a rat running towards a sinking ship, Mr. Chairman.

Mr. Chamberlist: Whitehorse West. I would agree with you.

Mr. McKinnon: Mr. Chairman, the obvious thing that has happened to this Government, and it is obvious to every member of the public, of the Yukon, of the City of Whitehorse, is that this Government no longer has any credibility. Now, Mr. Chairman, I can sit here and debate and score debating points with the Honourable Member from Whitehorse East as long as he wants to go on. I know the rules of debating, I know the tricks of debating, I recognize what he did tonight with the Votes and Proceedings from years ago, and brought up some of the things I had said in an attempt to embarrass me. I could do the same thing from the Votes and Proceedings that I perused at suppertime where Mr. Chamberlist has said what a good Member of Council I am, how effective and viable I am. And there are other records which would embarrass him where we got into debate where even he was unhappy he said things. Those are debating tricks and nobody in the Yukon wants debating tricks any longer. They don't want us to sit here and hurl insults at one another and use the tricks of the House and use the rules of the House to think that we're scoring points. The difference between the Honourable Member from Whitehorse East and myself is that he thinks that he is making a very big hit with the public of the Yukon Territory over last Thursday and Friday and over today. He relishes over the thought that he is scoring debating points in this House and that when he hears ooh's and aaah's from the House that they are going along with him and of course he is having a ball playing to the gallery. I assure the Honourable Member that nothing could be further from the truth. Thursday and Friday were two days spent solely in a very intrinsically prepared case to try and bring seven leaders of the Whitehorse and the Yukon Community to set up a smoke screen of allegations and innuendo that would make people start thinking, well my goodness, maybe there really is something behind all this diatribe that the two Members spent two days of this House in trying to get before this House and before the public of the Yukon. I haven't got the resources of Government and I haven't got the resources of being a Member of the Executive Committee that I can sit at the taxpayers' time and prepare rebuttals to the charges that have been made in the immunity of this House and without the people being present to answer the charges. And the only defense that the Honourable Member from Whitehorse East has brought up is that he said they are not sworn affidavits. That is his only defense. To me they are signed statements where the person said that he swore this to be true. Now, is that another debating point? Maybe it is a legal point, which the Honourable Member is excellent at too. To me, these are signed statements by the people who were charged by the Honourable Member from Carmacks-Kluane and the Honourable Member from Whitehorse East in an attempt to try to clear those charges. They had the Votes and Proceedings at 10:30 this morning, which is the time that they had to look at the charges that had been made and to prepare a defense and have me submit it for them in this House at 2:00 this afternoon. The charges that ex-Alderman Paul Lucier brings to this House - he says as a citizen of Whitehorse, that this is what happened when I was present. I bring this to you because I think it should be told to the people of Whitehorse and to the community. It is in here, and that accusation that this is not Alderman Paul Lucier's statement and that he didn't write of his own full accord, of course I have to say to you that this is not correct because I have seen the statement in his own handwriting, in longhand, and I think the former alderman could produce that also, but that is just not correct. The ex-alderman says that Mr. Miller stated that money was no

problem as the four present advisors were \$25.00 per meeting and that they could raise it to \$125.00 per meeting for us which would give us \$250.00 per month. It was then brought up that the Territorial Government should pay our legal fees, and at this point Mr. Miller stated that this could not be done but he could raise our salaries as advisors to \$250.00 to pay our own legal fees or do as we wish. I made the statement prior to this entry into the debate that Alderman Lucier had been to see me as far away as last Tuesday and told me of the events and of the things that had happened leading up to the dropping of the two legal actions between the ex-aldermen and the Government of the Yukon Territory. And as I told the House and I related to the House, I, even though I felt that there was a responsibility when an ex-alderman of Alderman Lucier's caliber, tells a Member of the Yukon Legislative Council these types of things, then perhaps, I think, they should be brought to the attention of this House. And even then, even though I knew I had a responsibility, I thought perhaps we can stop these ridiculous shenanigans that this House has deteriorated into, if things such as this aren't brought up then we will just start the debate, the name calling, the wallowing in the political gutter again. I still had not made up my mind, even knowing the responsibility of an Elected Member when charges of this nature are made by a responsible citizen as to whether or not they should be brought before this House. What choice did the Honourable Member from Whitehorse East and the Honourable Member from Carmacks-Kluane leave after their two days of setting up the smoke screen that they set up? Mr. Chairman, I agree with one thing and one thing only that the Honourable Member from Carmacks-Kluane said, and that is that debate should stop, but I go further than that, and of course that is the amendment to the Motion No. 3, that this Council should stop. The people of the Yukon Territory have no credibility whatsoever in this present Government of the Yukon. We can sit around and call each other names for another solid year, and the people of the Yukon Territory will still lack credibility in the Government of the Yukon. There is some suggestion that because constitutional reform seems to be eminent, that this Council should not be dissolved and that we should not go to the people again to see who the people believe. I have made the statement before that the people are the only ones who have the ultimate choice in the Government of the Yukon. Mr. Chairman, I suggest that the only way of solving the dilemma that this Council finds itself in now is in dissolution and the only way that we can have the public's confidence again is to take our case to the people, let the people decide who they do believe, because I think that all Members of Council will have to admit that there is some sort of a credibility gap around this table, and around the officers of the Government of the Yukon Territory.

Mr. Chamberlist: Mr. Chairman, I am going to reply very briefly to the Honourable Member because I noted in his speaking this time a weakness so outstanding that it was perhaps a show of bravado to try and push forward something that would take his associates off of a considerable hook - a large hook - a meat hook. The meat hook that he is trying to use with every cleaver that can be found against Members of the Executive Committee. There are more and more people, Mr. Chairman, coming forward with information relating to the conduct of certain people, and certain associates, and this information is being brought forward voluntarily. We didn't ask for it, but as a result of what is being shown, these things are coming forward. My colleague, the Honourable Member from Carmacks-Kluane, made reference to a specific date of the 12th of January, where there were some funds borrowed to alleviate the distress of Mr. Dumas in his financial condition and if the time comes and I am sure that perhaps it will come, we will prove beyond any reasonable doubt that Mr. Wybrew had knowledge of the disposal of those lots, that money was being borrowed on a short term basis to cover the indebtedness that Mr. Dumas had to cover quickly, and we are prepared at the right time to bring that forward. The Honourable Member from Whitehorse West speaks about every person in the Yukon. Now he has taken every person, this is the type of attitude that he has adopted continuously, that he is speaking for 20,000

people, each and every one of them, man, woman, and child. He is the one, I say--It was a great tear-jerker of a speech. I am used to the Honourable Member and I am afraid that it doesn't go down with me at all. At I think that the public at last is recognizing the emotional manner in which the Honourable Member speaks, and they too, Mr. Chairman, are used to his expressions. There is no doubt at all that the wallowing in the political gutter has been one that can surely rest with the Honourable Member because after all where have these attacks come from? Upon the Executive Committee, from the inception of this Council - Where did they come from? And I am sure that everybody, everybody around this House knows that since the time of the formation of the Executive Committee, both the Honourable Member from Carmacks-Kluane and myself have come under the most vicious attacks through the media that he is employed with to attack me in the fiercest manner possible. And I must also say this, that it was a little bit more than just that, when the attacks over the TalkBack Show that Mr. Dumas started with, because it is Mr. Dumas we are talking with. And there is another incident, Mr. Chairman, Mr. Dumas came to me and told me he was interested in getting the job for the assessment of the pulling down of the buildings on the capital site, and I said to him, and I recall the words, John, you put in and make application for that job if you want it. He went to another Executive Committee Member, and he was turned down as well. I am not sure, he may even have gone to the Commissioner. But I know he was turned down, because it went out in the proper manner. Ever since that time the continuing attacks against the Executive Committee and myself in particular have never ceased. I have been derided, my family has been derided in no uncertain terms, I have Jewish blood in me and I am proud of it, and I have had these people go on their Television and Radio shows and attack that background as well. I have been subjected to certain political guttersniping and for me not to have the opportunity and not to be prepared to face the Honourable Member from Whitehorse West and accuse him, Mr. Chairman, of complicity with these other people, to take over the Territorial Council, the Executive Committee, would be anything by untruthful on my part. Mr. Chairman, the propaganda machine already is in progress. This method of bringing forward statements, or as the Honourable Member already referred to them in two radio broadcasts I listened to tonight, of affidavits. Goodness knows he is letting the listening public who don't understand what is going on in these Chambers, he is trying to convince them of his purity and the purity of everybody that is associated with him, and in doing that he came out boldly and bluntly and actually spelled out the word bribe that these civil servants, these top civil servants, were actually attempting a bribe. Mr. Chairman, I say that anything that I have said in this house, I will substantiate. And if at any time any member of the press wants to come and ask me questions, and that includes the Honourable Member, when he considers himself a member of the press, those questions will be answered. The documentation is there and it will be given in the factual manner in which I found that documentation. And all the papers and all the statements in the world that can come forward and be brought forward into this House, and all the snide remarks that are made in these statements, and all the areas of objections that are made, but as the Honourable Member from Carmacks-Kluane has said, there is no basic denial of the charges that have been leveled and I say this Mr. Chairman, the Honourable Member from Whitehorse West is a beaten duck that he calls on the people to support him in a method that is not very conducive to good legislative work in this particular case. Mr. Chairman, I will put my name on the board. I might say this at this time, that it was my intention to go to Law School this year, and the Executive Committee were informed about this, and during the last few months, I had accusations that certain things would only happen before the next election. It was my intention that I would have been at Law School for the next election, because I feel that I could have offered a service to the people of the Yukon, not for fees, but to be able to advise them. I do not want to go into Law practice, but I want to be able to help people, and that is always what I have done. And the attacks that have been made upon me by the Territorial Councillor from Whitehorse West and his co-horts, these brave, great seven businessmen, these

wonderful people, these wonderful people who have ignored completely the laws that this legislative body has passed, the laws that the City of Whitehorse has passed, ignored them completely for their own ends. They are the things Mr. Chairman, that I am concerned with. And I say this much, and I want Members of this Committee to try and recognize this, that we have got to get down to getting away from the type of thing that happened here in Whitehorse. It is driving people 'round the bend. I have said before commencing with the Honourable Member of Parliament who has been playing people against people, natives against natives, every manner in which he can possibly do this. This is in the name of politics. There are graves of politicians in Ontario and Quebec where he has done a hatchet job on them. Well, I can tell you, Mr. Chairman, I am one man that doesn't fear, and I don't fear him. Let him try a hatchet job on me, because I stand in between the organization that is trying to destroy the Yukon, and that organization is, I say, the great imminence of Mr. Hougou, Mr. Nielsen, the Honourable Member, Mayor Wybrew, and some more of his help, including Mr. Dumas. I say it openly, I will say it outside to the press, and you can tell your friends -- Mr. Chairman, the Honourable Member can tell his friends that if they want to start legal action, they've got a boy here who's prepared to face them. Thank you, Mr. Chairman.

Mr. Chairman: Is there any further debate on the amendment?

Mrs. Watson: Mr. Chairman, I understood we were debating Motion No. 1.

Mr. Chairman: Well, we're debating the amendment to Motion No. 3.

Mr. Chamberlist: With respect, Mr. Chairman, we are not debating the Motion No. 3. What we did agree to is that we would allow Motion No. 3 to be discussed, but the question that I'm interested in, and I think -- I feel sure that every Member should be concerned with, is that the first thing is first, and that is, we should have, Mr. Chairman, a clear opportunity for this Council to say whether the Commissioner acted within his jurisdiction and authority to appoint an Administrator. I would ask, Mr. Chairman, that we get this point cleared away, and then go to the rest of it. It is very important.

Mr. Chairman: The Chair finds it difficult to hop around. It's been the opinion of the Chair that we are discussing an amendment to Motion No.3. I would ask that all matters of debate be related to the amendment. Following the amendment, we will then deal with the motion, and from there on, wherever anybody wants to go, I am at the pleasure of Committee.

Mr. Tanner: Mr. Chairman, there's a little point here that I think is of interest to all Councillors. It's the fact that when Councillor McKinnon asked whether he could go to Motion No. 3, I was one who supported it because it was the contention that he could, with the clear distinction in my mind -- maybe not to everybody else's mind -- that the vote would be called in numerical order. That's number one. Number two: when the amendment to Motion No. 3 was brought up, and the Honourable Chairman was the seconder of the motion, it puts an entirely different inference on the fact that you want to go out of order. I think, if the vote is going to be called, it should be called in numerical order, starting from number one and going right through.

Mr. Chairman: Is this what Committee wishes to do?

Some Members: Agreed.

Mr. Chairman: Alright, this is what we'll do, but I ask you, apart from your own games that you might be playing in Committee ...

Mr. Chamberlist: Well, that, with respect, Mr. Chairman...

Mr. Chairman: Order, please ...

Mr. Chamberlist: A point of privilege ...

Mr. Chairman: Councillor, will you kindly take your seat now ...

Mr. Chamberlist: I rise on a point of privilege ...

Mr. Chairman: Councillor, I have ruled you out of order. Would you kindly resume your seat. What I am saying is that it is extremely difficult for a person in the Chair to have to do the work of this House, to be as fair as possible, and look after everybody's needs, and retain at least some element of dignity in this House. I would ask, notwithstanding how heart-felt you are with your own submissions and your own submissions in debate, that, please, all Members of Committee start paying a little respect to the Chair and understand some of the difficulties inherent in it. Now, it seems to be agreed by Committee that we will set aside these motions and amendments. I wish now that all Members of Committee would respect that when we start through these motions again, that we will deal with motions one at a time and we won't hop from this one to that one, for whatever reasons the Members wish to give. Right, we will now proceed to the discussion on Motion No. 1. Councillor Stutter, will you take the Chair a moment?

MOTION #1

Mr. Taylor: Mr. Chairman, I've noted throughout the day, and throughout the last couple of days of debate, that there seems to be some great, great concern over everything else that happens; the dissolution motion of Council seems to have no -- there's a big fear among the Members of the Executive Committee on this. But, there is one thing; they must exonerate the Commissioner, in the words of the Honourable Member from Whitehorse East earlier this afternoon. The Commissioner must be exonerated. Now, from the submission made today by the Honourable Member from Whitehorse West involving some members of the general public, it was pointed out in one of them that they were asked -- that the Aldermen of the City of Whitehorse were asked to exonerate the Commissioner and admit that he has to appoint an Administrator. Now, it seems clear to me that after the Municipal Ordinance that was railroaded through Council in the spring, over the protests of many Members, that there is provision that if the Aldermen resign, the Commissioner appoints. Am I misinformed here, or has there been something else written into this Municipal Ordinance that I am unaware of? If that be the case, the case is clear. What makes me wonder, with all these statements that we must exonerate the Commissioner, who is requesting this? Is it the Executive Committee; is it the Commissioner himself; and, indeed, what is he to be exonerated from? The Ordinance is quite clear. If the Aldermen resign, the Commissioner must appoint an Administrator. Now, what, pray tell me, why this great insistence to the City of Whitehorse, the ex-Aldermen, to this Council as Motion No. 1 -- number one priority. It seems to take precedence over all the other important motions. Why is this Executive Committee so determined to get that motion through here that has no business being in the House in the first place. Now, would somebody truthfully, from the Executive Committee, give me the answer to that question. Why is this so important?

Mr. Chamberlist: I'm prepared to give that answer, Mr. Chairman. The answer is quite simple. We have been accused of not harkening to the public. The public has generally, Mr. Chairman, been somewhat upset that an Administrator was in fact appointed, but they were not made aware why the Administrator had to be appointed. This way, the information has come out that there was no alternative but to inform the Commissioner to appoint an Administrator. This is the reason for it. I will say this, that the Honourable Member made reference to the Municipal Ordinance being pushed through. If I recall, and I might be corrected, but if I recall, there were only two Members that voted against; the Honourable Member from Whitehorse West and the Honourable Member from Watson Lake. So, I think that was a wrong statement, too. Now, Mr. Chairman, that is the reason why this motion should be passed; to say whether or not, in the terms that the motion has been put, in fact, the Commissioner had no alternative but to do what he did. Once that's done, then we're clear of that motion.

Mr. Taylor: It really still doesn't answer my question. I want to know the real reason why, because, as I state, Section 155 of the Elections Ordinance deals with this. If the Aldermen resign, the Commissioner appoints an Administrator. That's in the Ordinance; whether it's fair or foul, it's there. I still can't get to the route of this question. Why is it so important, over dissolution of the House and all these other things, that this must happen. Now, somehow, I have the sense, and I believe you must agree, that everybody is wondering why this great importance. This motion wouldn't have been here unless the Commissioner and the Executive Committee have done some great wrong and they're looking to right it. It's clear to the public of the Yukon that anything that Councillors Watson and Chamberlist do produce as Executive Committee Members is going to pass anyway. My question is, why? It's a foregone conclusion; it's what we used to affectionately call "the Chamberlist railroad". Why, why is this so important? What has the Executive Committee or the Commissioner done that he needs exoneration for? That's what I want to know. The truth.

Mr. Chamberlist: Mr. Chairman ...

Mrs. Watson: Mr. Chairman ...

Mr. Chairman: Order, please.

Mrs. Watson: Mr. Chairman, that's why we would want to know the truth, too. We were accused of killing democracy in the Yukon Territory. There was a demonstration a week ago in front of City Hall. The Honourable Member was there. They had the honour of having him speak to them, outline how the Territorial Government killed democracy in the City of Whitehorse by appointing an Administrator. We tried to explain to you in about four days; we want the motion now. That is why it is rather important.

Mr. Chamberlist: Question.

Mr. Taylor: Well, Mr. Chairman, I've tried, and I can't get a disclosure. Out of absolute pure frustration, I thought I would try. I heard a great deal about honesty and integrity in government, and this type of thing. I have asked the question. There has got to be something deeper than this in the terms of the Executive Committee. The Commissioner's on the spot; he's the Joe-boy. I don't know whether he asked for this, and if he did, well, I don't know, but there is something a lot deeper in this thing. I certainly couldn't carry a support for this motion, and I don't think anybody else should carry support for a motion which has no business being in existence unless it's to cover up something. As far as I'm concerned, it's out. I will resume the Chair.

Councillor Taylor resumes the Chair.

Mr. Chairman: Is there any further discussion on Motion No. 1?

Mr. Stutter: I have just a couple of comments, Mr. Chairman. I have to agree with some of the things that Mr. Chairman has said himself, and that is that most of what we've heard in the last two or three days really deals with what happened prior to the resignation of the Aldermen, and the fact that the City, lacking a quorum, could not carry on its business. It's quite true that the Municipal Ordinance, under Section 155, makes it fairly plain. I asked the Legal Adviser of the Territory if he felt that that particular section was permissive or did it demand a certain action by the Commissioner. I took it from his answer that it was permissive; that the Commissioner did not absolutely have to appoint an Administrator. But, I do believe in my own mind that there were two sections of the five that occurred at the same time, and that is that the Council was unable to obtain a quorum and the Council was unable to carry on its duties. I could have looked at this motion without any debate on it at all, and I think I could have reached then the same conclusion that I reach now; that I will support this motion. I believe I have to support this motion for the very way that it is worded. I am thankful, in a way, that much of

the information that has been brought forward in the last couple of days, has been brought forward, but at the same time, I feel that it really has been outside of the scope of this motion, and probably much of the information could just as well be brought forward under any one of the other four or five motions, almost, that are now in Committee. However, it is my intention at this point to support the motion because the wording of it is quite clear. It calls for action after the resignation, and not before.

Mr. Chairman: Is there further discussion on the motion? Question has been called. Would those in agreement kindly signify. Those contrary? I shall declare the motion carried.

NOTION CARRIED

MOTION NO. 2

Mr. Chairman: We will now proceed to Motion No. 2. It has been read in Committee and you may proceed.

Mr. Chamberlist: I'll call for the question.

Mr. McKinnon: Mr. Chairman, I'm extremely interested in -- still, after listening to the debate on Motion No. 2 -- what an Executive Committee concept of government is. I'm completely aware of what an Executive Council system of government is. I'm completely aware of what the British Parliamentary system of government is. I'm completely aware of what the Cabinet system of government is. Now, any one of these things can be said to be the same as an Executive Committee concept of government, and this is probably worse than Motherhood to vote against in this day and age. But, the Executive Committee concept is something that I don't know about. The motions that have been passed by this House, Motion No. 40, Motion No. 1, and different numbers, asking the Government of Canada to bring more responsible and democratic institutions to the government; when I was in this House, these motions were passed, and I asked that the Executive Committee be changed to concept. This has always been a very real hangup of mine, and it's a very good constitutional hangup, too. Many years ago, I wrote that the motion that was passed when I was not in this House, that an Executive Committee be established, except by straining of every parliamentary rule, a Committee of Council could hardly exist when the assembly of which it is a committee had come to an end. The use of the name of Executive Committee presented many difficulties in the struggle for responsible government for the old Northwest Territories. The Federal Government used the establishment of this unprecedented stopgap to delay recognition of the fact of responsible government. The granting of responsible government demands an Executive Council, analogous to that in use in the Dominion and in the provinces. There seems little value in the almost novel creation of an Executive Committee when a proven institution is available that will work along well-known and recognized constitutional lines. I think that if you'll notice, that Motion No. 40, when it was brought up after a few years and became Motion No. 1 in this House, that "Executive Committee" had been changed to "Executive Council", because you're talking about something in constitutional law; you're talking about something that political scientists understand; you're talking about something that has some relevance to the British parliamentary system; and you're talking about something that has some relevance to the Cabinet system of government. Now, if this is what the Honourable Member means by Executive Committee -- do they mean a Cabinet system of government with the elected Members as the Cabinet, okay. Sure I'll go along with it. Certainly, I do. I agree that that is the natural evolution of constitutional democracy in the Yukon. But, if he means the Executive Committee concept as it is constituted in the Yukon today, with two of the elected Members sitting with a majority of appointed people from the Government of Canada, then how, in goodness' name, could someone who believes in the full flower of possible democracy, go along with that concept. If the Member wants to say, "No, that's not what I mean; I really mean Executive Council; I mean Cabinet system", then, as I say, I couldn't vote against the motion in a million years. But, for goodness' sake, let's have it

definitive in this House what we're talking about, when we are talking about Executive Committee, because if it means what we have in the Yukon today, Mr. Chairman, with respect, no, there is no way that I could agree with it.

Mr. Chamberlist: I think we all recognize here and the Honourable Member who has just spoken has recognized it that what we are talking about in the Motion is the Executive Committee concept as it is set up today under our present, somewhat all right, type of government. I think I can put this in very few words, I think that the Executive Committee concept, I must suggest here that the Honourable Member wants to know what I mean, I would suggest that the Executive Committee concept is the same concept that the Honourable Member from Whitehorse West wanted to be a part of but he wasn't capable of being a part of. Because he referred to himself in other Votes and Proceedings about his membership in the Executive Committee and also if I recall in the spring session, the Honourable Member made a specific point, he said "I am not opposed to the Executive Committee concept, it is the people who are on it that I am opposed to". And I am sure all Members here will recall that. That's what I am referring to as the Executive Committee concept, that very concept that he wanted to be a part of.

Mr. Tanner: Mr. Chairman, I have an amendment to this Motion No. 2. Where it ends concept, I would add "that the progression to responsible government in the Yukon" and this amendment is seconded by Councillor Stutter.

Mrs. Watson: Mr. Chairman, could we have that read again?

Mr. Tanner: After the word concept reads "as a progression to responsible government in the Yukon".

Mr. Stutter: Retrogression?

Mr. Chairman: Can I have a copy of this amendment? Order please. We have an amendment proposed to Motion No. 2, moved by Councillor Tanner, seconded by Councillor Stutter. I assume that this is to include the word following concept in Motion No. 2 "as a progressive step to responsible government in the Yukon". Are you prepared for the question? Are you agreed?

Mr. McKinnon: No one will accept that amendment in Council instead of Committee on this resolution. I think it has real meaning --

Mr. Chairman: Let us have this again, gentlemen.

Mr. McKinnon: I was wondering if Committee would be agreed to replacing the word Committee with Council so that it has some meaning.

Mr. Chamberlist: I know the point the Honourable Member is making but we are dealing with the Committee as it is now constituted.

Mr. Chairman: The amendment would then read "that this House has confidence in the Executive Committee concept as a progressive step to responsible government in the Yukon". Are you prepared for the question? Are you agreed? Councillor Stutter would you take the Chair please.

Mr. Taylor: Mr. Chairman, I would like to make a further amendment to proposal No. 2 to include the words, the Motion No. 2 is amended I should say, to include the words after "government in the Yukon" to add the words "and this House has no longer any confidence in the appointment of Councillors Chamberlist and Watson to the Executive Committee and requests their immediate release from these responsibilities", if I can find a seconder. I would need a seconder, Mr. Chairman.

Mr. McKinnon: Mr. Chairman, I was wondering if there are any ideas of what is going to go on Motion No. 6 before I either --

Mr. Chairman: With respect, I believe that it's just as possible to make this same amendment to Motion No. 6 if any of you so desire. It covers much the same subject.

Mr. Taylor: Mr. Chairman, I will then withdraw my amendment, well I can't withdraw it -- okay, I will resume the Chair.

Mrs. Watson: Mr. Chairman, have we assumed that motion passed original anyway.

Mr. Chairman: No, I am afraid it hasn't. The motion as amended reads "It has been moved by Councillor Chamberlist, seconded by Councillor Watson that this Council has confidence in the Executive Committee concept as a progressive step to responsible government in the Yukon". Are you prepared for the question? Are you agreed? I should declare that the motion has now been carried.

MOTION CARRIED

MOTION #3

Mr. Chairman: We will proceed to Motion No. 3.

Mr. Tanner: Mr. Chairman, I am a little unclear as to Motion No. 3. Is Motion No. 3 the amended Motion No. 3 or is it the original Motion No. 3?

Mrs. Watson: Mr. Chairman, could we get a copy of the amendment.

Mr. Chairman: You have a copy of the amendment. I believe all Members were given a copy. If not, perhaps Mr. Clerk can provide you with one.

Mr. Chamberlist: I think it was distributed this morning.

Mr. Chairman: There is an amendment to Motion No. 3, moved by Councillor McKinnon, seconded by Councillor Taylor that all the words after that in Motion No. 3 be struck and the following words be substituted so that the Motion will read that "it is the opinion of twenty-second wholly elected Council that the Governor in Council be requested to resolve this presently constituted Council in the Yukon Territory at the earliest possible moment and that a new election be called pursuant to section 9 of the Yukon Act". Any further discussion to the amendment to Motion No. 3?

Mr. Stutter: The very wording of the amendment, I am afraid, makes it impossible for me to support it for the simple reason that it does say that a new election be called pursuant to section 9 of the Yukon Act and section 9 of the Yukon Act makes it quite clear that if another election were called, it would be strictly with a 7 man council and it would be for a further four years and I believe that to wish that upon the Yukon at this time, to have another four years of a 7 man council would be, it would be a step in the wrong direction. I would take it as a negative step and I've said before that it would be my hope that this present Council could stay in office at least until the constitutional changes were brought about in Ottawa so that even if it were our last duty to decide the new electoral districts covering how many ever members Ottawa will see fit in its wisdom to allow to elect to Council, it is our duty to do that and as soon as we have done that duty I will be one of the first ones to support any motion to dissolve this present Council. But at this time, and in particular with the wording of this amendment, I couldn't support it.

Mr. Tanner: Mr. Chairman, I am still confused as to whether or not this amendment has been accepted by the Committee of the Whole. Is it now in Committee?

Mr. Chairman: Yes.

Mr. Tanner: The amended motion or the original.

Mr. Chairman: The amendment to the motion is now up for discussion. Any further discussion on the amendment? Question has been called. Are you agreed with the amendment. Would those in agreement signify it. Would those who disagree signify it. The amendment is defeated. I will now call question on the motion. Any further debate on the motion as stated?

Mr. Stutter: I rise again to state, to restate my opinion the other day that this motion as worded is out of order as it is merely stating that we should do something that we are presently doing. I find that it's binding on the position of Council and that I have no intention whatsoever of supporting it. I don't take the view that by not supporting it, it brings about the same as the amendment would have done. I have no intention whatsoever of supporting this motion either.

Mr. Tanner: Mr. Chairman, I have to tell the Committee that I feel exactly the same way as Councillor Stutter and it is my suggestion to Councillor Watson and the seconder either let it die in Committee or withdraw it.

Mr. Stutter: Let it die in Committee, Mr. Chairman.

Mrs. Watson: Mr. Chairman, I am quite prepared to have it die in Committee.

Mr. Chamberlist: As the seconder, I would agree to let it die in Committee.

Mr. Chairman: Does Committee unanimously agree to its withdrawal? Well, it's usually these matters are withdrawn, dealt with and it's rather unusual to go to this stage with a motion this important and just say let it die in Committee. I think some action should be reported on it or taken on it.

Mr. Chamberlist: Mr. Chairman, if we don't proceed with it now, it will die in Committee automatically at the end of the Session.

Mrs. Watson: Mr. Chairman, I move that we report progress.

Mr. Chairman: Question? Question has been called on the motion, Motion No. 3.

Mrs. Watson: I moved that the motion or asked to have the motion die in Committee.

Mr. McKinnon: I disagree with the motion. It's taken out of Committee, they put the motion in, I disagree with it. I am willing to go to the question and vote on it. Simple as that.

Mr. Chairman: I must then put the question to motion No. 3. Would those agreed to the motion, please signify. Those contrary to the motion, kindly signify. I must declare that the motion has been defeated.

MOTION #4

Mr. Chairman: Is there anything further on Motion No. 4?

Mr. Stutter: Yes, Mr. Chairman. At this time, perhaps I'm only seeking guidance from Committee, but something has been brought to my attention over the weekend; in fact, I've known about it for some time, but it's been brought to my attention again over the weekend. It is regarding some of the sections that have caused hangups between the Municipal Government here and the Territorial Government. I refer to the Municipal Ordinance, section 76(3)(a), and I would like to read part of it: "No by-law for borrowing money shall be valid unless prior to the third reading thereof, it has been submitted and approved by the Commissioner, and when so required, has received the assent of the majority of the taxpayers in the municipality voting thereon". The section that I'm referring to states: "Upon receipt of the application for by-law referred to in subsection (2), the Commissioner shall take such action as he deems advisable and may (a) approve the loan and direct that the by-law may be given third reading and passed ...". Now, I wish to relate what has happened in the City of Dawson and then

seek your guidance, because I feel that in this particular instance, the Commissioner or other appointed civil servant has, in fact, indebted the people of Dawson to a sum that would be raised by at least a five mill imposition for the next ten years. By-law No. 174, which was drawn up in Dawson -- incidently, this was all done quite legally; it went through the Department of Municipal Affairs, as against the allegations that the move in Whitehorse was not done legally. Dawson wanted to borrow \$40,000 for the purchase of a front-end loader, the price of which was \$32,000. Now, by the Municipal Ordinance, the three mill rate in Dawson will raise \$2,400, which, as you know, is a ridiculous situation. So, naturally, the loader is far greater than \$2,400. They wrote to the Commissioner, they gave first and second reading to their by-law borrowing money, and stating quite properly in their by-law what the intent of the money was to be used for. Somehow or another, the Commissioner, or the Department of Municipal Affairs, in their wisdom, wrote back and told the City of Dawson to go ahead with third reading, which they did. So, in actual event, what has actually happened there is that the City of Dawson was allowed to and has since completed the project to buy a front end loader for a sum of \$32,000, the loan for which has to be repaid over a period of ten years, and it will require approximately five to six mills per year out of the assessment in Dawson to pay for this loader for the next ten years. Now, I'm not saying that the loader isn't a necessary thing in Dawson; I'm not saying that the people of Dawson would have voted against buying that piece of equipment; but what I am saying is that a civil servant now, just by signing his name to a by-law, has put the taxpayers of Dawson into a position where they are going to have to consider for the next ten years that \$.08 out of every \$1.00 that they remit to the City in taxation must go towards paying for that front end loader, regardless of whether they had a chance to vote on that purchase or not. It does seem to me that this one section of the by-law that I have now mentioned, should have some limitations placed on the Commissioner so that in another instance, when an application comes from a municipality, that the Commissioner doesn't have the power to turn around and indent that municipality to an extent as great as Dawson has been in this particular instance. As I say, this has all been done legally; nobody is suggesting that the Aldermen of Dawson have done something that was illegal, that they are holding office illegally, or anything to this extent. All I am saying is that now the taxpayers are indebted for that length of time just because the Commissioner allowed them to go for third reading on the by-law. I think that we should put something in this Ordinance to stop this sort of thing happening again.

Mr. Chamberlist: I wonder, Mr. Chairman, if the Honourable Member could indicate clearly again that the Commissioner had authorized for third reading prior to its going to a plebiscite for expenditure?

Mr. Stutter: No, Mr. Chairman. I have here the bylaw in question, and I am quite willing to make copies of it available to all Members of Committee. But, what has actually happened is that Dawson quite rightly gave first and second reading to the by-law. I'll just read part of the by-law: "Whereas it is deemed expedient and proper pursuant to the provisions of Section 75 and 76 of the Municipal Ordinance of the Yukon Territory 1972 (First Session) that the Council shall issue a by-law to authorize the purchase of a front loader; and whereas in order to purchase said equipment it will be necessary to borrow the sum of \$40,000 on the credit of the City at large by issuing debentures of the City of Dawson and herein provided; and whereas the said indebtedness is to be repaid over a period of ten years in annual instalments with interest not exceeding seven and one-half percent per annum; and whereas by provisions of Section 78 of the Municipal Ordinance no municipality shall incur a indebtedness in excess of twenty percent of the total assessed value of real property in the municipality liable to taxation; and whereas the Municipality of the City of Dawson's taxable assessment is \$827,000 and the total debenture debt is \$8,937.15, no part of which is in arrears; now therefore, the Municipal Council of the City of Dawson ..." and then comes the complete part of why they want to borrow the money, for what purpose, how it will be paid back -- it's a rather lengthy document of one and one-half pages. The

Municipal Ordinance had been complied with by the City of Dawson. They gave second reading to the by-law; they submitted it to the Commissioner for any one of three types of action that he could have given. In this particular by-law, the Commissioner did give approval to the loan and direct that the by-law may be given third reading and passed, and this is what Dawson did, as I say, quite legally. But, my point is that the Commissioner, by a stroke of a pen, indebted the people of Dawson, whether they want it or not, and they could very well want it -- but, whether they want it or not, he's indebted them now to this debt over the period of the next ten years. I don't feel that this is right.

Mr. Chamberlist: Mr. Chairman, did the City of Dawson ask for this front end loader, because if they asked for it, then it wouldn't be the Commissioner that is placing the onus upon them; if the people asked for it themselves, then surely the permission has been given because they asked for it.

Mr. Stutter: Mr. Chairman, I respect that point and I know what the Honourable Member's getting at. The City did ask for it, yes; this has not been imposed on them as nobody has told them, "Here's a front end loader, you take it and you pay for it". The City did ask for it; that is, the Councillors or the Aldermen of the City of Dawson asked for it. But, under normal circumstances, when a capital purchase of this nature, this size, was to be made, the City, I would have thought, would expect that the Commissioner would come back and say, "Yes, the loan is approved, now all you need is the permission of the people of Dawson". Otherwise, you've got the Commissioner and four aldermen in this particular case -- you've got five people that have indebted them. Instead of me saying, the Commissioner, perhaps I should include the aldermen of Dawson. But, nevertheless, these five people, this small body of people, have indebted all of the taxpayers of Dawson for the next ten years.

Mr. Chamberlist: I see the point that is being made, and I think that this might have been an administrative error on the Territorial Government, and also in the Municipal Government, because perhaps both have overlooked section 76(1): "No by-law for borrowing money shall be valid unless prior to the third reading thereof it has been submitted to and approved by the Commissioner, and when so required, has received the assent of the majority of the taxpayers in the municipality voted thereon". So, it's quite possible, Mr. Chairman, that there has been an administrative error somewhere, and I think that perhaps this should be taken up with the administrative people.

Mr. Stutter: Mr. Chairman, I think perhaps the hangup in that particular section are the three words: "when so required", because I believe that's the one where it says "when so required", opens up (3)(a), and the Commissioner has several alternatives once the bylaw has been submitted to him, it has second reading, and he can take such action as he deems advisable. He may one, approve the loan; secondly, he can approve the loan and require that the bylaw be submitted to the taxpayers of the municipality at the next general election; or, thirdly, he can approve the loan and require that the bylaw be submitted to a special vote of the taxpayers. In this particular instance, he just approved it, with no strings attached. As I say, the indebtedness occurred.

Mr. Chamberlist: The suggestion that the Honourable Member is then making is that the words "when so required" should be removed so that it reads "and has received the approval".

Mr. Stutter: Not necessarily so, Mr. Chairman, because I can't think of instances, particular as in Dawson's case -- this would mean, if you removed those words completely, then they couldn't even make a purchase of \$2,500, which I don't think anybody is going to complain about, but the three mill rate from the other section, Section 82, in Dawson's case, just comes up with a ridiculous amount of \$2,400. Or, even if you take into account the amount of taxes that the Territorial Government takes, three mills still only generates \$4,700. This will hardly buy a pickup nowadays, and I don't see why they should have to go to the people of Dawson every time they want to buy something of

that nature. I believe that the words must be left in, but perhaps some restriction in the other sections of the Ordinance must be placed that the Commissioner can perhaps go up to a ten mill base, without demanding or insisting that it go to the people, but in this case he has gone far further than that. I haven't worked it out because you've got the two figures to work on, but you've got between twenty and thirty mills of indebtedness to buy this one piece of machinery.

Mr. Chamberlist: Yes, well, the point's well taken, and we'll be taking a look at it.

MOTION NO. 5

Mr. Chairman: Are you clear then on Motion No. 4? This motion is the result of Motion No. 5. It was moved by Councillor Stutter, seconded by Councillor Taylor, "That this House urgently request the Honourable Jean Chretien, Minister of Indian Affairs and Northern Development, to arrange for the necessary formalities to be completed by the Federal Government respecting the forthcoming constitutional changes in the Yukon Territory in sufficient time to enable those changes to take effect with the next Territorial election". Any discussion on the motion? Are you prepared for the question?

Mr. Stutter: Mr. Chairman, I would only say at this point that as the mover of the motion, I am seeking, if at all possible, unanimous consent. It's rather a general motion but I think that it does indicate that this House is at least unanimous in its feelings that it must have constitutional reform prior to the next election.

Mrs. Watson: Mr. Chairman, are you deleting "in September of 1974"?

Mr. Chairman: No, that isn't included. That was deleted the last time around.

Mr. Tanner: Mr. Chairman, excuse me, this is a correction. I think it was a suggestion of mine that it be deleted but I don't think it passed the House that it should be deleted.

Mr. Chairman: Well, the motion is as stated. I'll reread it, but it has been deleted ...

Mr. Tanner: The last two lines, Mr. Chairman?

Mr. Chairman: No. I'll reread the motion, for the second time: "That this House urgently request the Honourable Jean Chretien, Minister of Indian Affairs and Northern Development, to arrange for the necessary formalities to be completed by the Federal Government respecting the forthcoming constitutional changes in the Yukon Territory in sufficient time to enable those changes to take effect at the next Territorial election".

Mrs. Watson: Mr. Chairman, I would like to argue that. I think you are being quite presumptuous. When we left here we were going to consider this motion. I'm not opposed to deleting it, but I don't think it's up to the Chairman to assume that you can delete certain parts of a motion.

Mr. Chairman: Please, somebody advise me here. I'm not on any nefarious scheme, that's for sure.

Mr. Tanner: It was my suggestion, Mr. Chairman, that we should take out "Territorial election in September of 1974", and it was only a suggestion. I think we let it lie until this time to come to a decision. I still make the same suggestion, that the motion should stop after "Territorial election". This means that "in September of 1974" should be taken out.

Mr. Chairman: Does Committee agree? Then, is the motion now as stated?

Some Members: Agreed.

Mr. Chairman: Is there any further discussion on it?

Some Members: Question.

Mr. Chairman: Are you agreed with the motion? Are there any contrary? I will declare that the motion is carried.

MOTION CARRIED

Mr. Tanner: Mr. Chairman, could I suggest that it's been an hour and a half now, and perhaps everybody could use a little break and coffee?

Mr. Chairman: I'll declare a short recess.

RECESS

MOTION No. 6

Mr. Chairman: Order please, I won't entertain that motion at the moment. We are at this time discussing Motion No. 6 and Councillor Stutter kindly take the Chair.

Mr. Stutter: With respect, Mr. Chairman, I don't believe that motion that has just been put forward has been debatable, and I personally would second that motion in any event.

Mr. Chairman: Is this the wish of Committee?

Mr. McKinnon: Has no choice, Mr. Chairman. I can't understand it but what a snow job.

Mr. Chairman: Moved by Councillor Chamberlist, seconded by Councillor Stutter that Mr. Speaker do now resume the Chair. Prior to putting the motion, this was rather hasty, I would like to report to Committee that you have dealt with all matters before except Motion No. 6. Is it your intention that I report that we are prepared for prorogation or is it your intention to resume and discuss Motion No. 6?

Mr. Chamberlist: With respect, there might be other matters. We are still in session come tomorrow.

Mr. Chairman: It is your intention to sit tomorrow, is that correct?

Mr. Chamberlist: Yes.

Mr. Chairman: It has been moved by Councillor Chamberlist, seconded by Councillor Stutter that Mr. Speaker do now resume the Chair. Are you prepared for the question? Are you agreed. I declare the motion carried.

MOTION CARRIED

Mr. Speaker: Council will now come to order. May we have a report from the Chairman of the Committee?

Mr. Taylor: Mr. Speaker, Committee convened at 2:25 p.m. this afternoon to discuss motions. On discussion of Motion No. 1 it was moved by Councillor McKinnon, seconded by Councillor Taylor that all the words after 'that' in Motion No. 3 be struck and the following words substituted so that the motion will read "that it is the opinion of this twenty-second wholly elected Council that the Governor in Council be requested to dissolve this presently constituted Council of the Yukon Territory at the earliest possible moment and that a new election be called pursuant to section 9 of the Yukon Act". This motion was defeated and Motion No. 1 was carried in Committee. Committee did recess at 5:00 p.m. and reconvened at 7:10 p.m. this evening. It was moved by Councillor Tanner, seconded by Councillor Stutter

that Motion No. 2 be amended by adding the words "as a progressive step to responsible government in the Yukon" and this motion carried in Committee and Motion No. 2 then carried in Committee as amended. Motion No. 3 was defeated in Committee and it was moved by Councillor Stutter, seconded by Councillor Taylor urgently requests that the Honourable Jean Chretien, Minister of Indian Affairs and Northern Development to arrange for the necessary formality to be completed by the Federal Government respecting the forthcoming constitutional changes in the Yukon Territory in sufficient time to enable those changes to take effect at the next Territorial election. And this motion carried. It was then moved by Councillor Chamberlist, seconded by Councillor Stutter that Mr. Speaker do now resume the Chair and this motion carried.

Mr. Speaker: You have heard the report of the Chairman of the Committee. Are you agreed? May I have your further pleasure?

Mr. Taylor: Mr. Speaker, in respect of the agenda, I believe it is the intention of your Committee to sit again tomorrow.

Mr. Speaker: May I have your further pleasure?

Mr. Tanner: Mr. Speaker, I move that we call it 9 o'clock.

Mr. Chamberlist: I second it.

Mr. Speaker: It has been moved by the Honourable Member from Whitehorse North, seconded by the Honourable Member from Whitehorse East that we now call it 9 o'clock. Are you prepared for the question? Agreed? I declare the motion carried.

MOTION CARRIED

Mr. Speaker: This House now stands adjourned until 2:00 p.m. tomorrow afternoon.

ADJOURNED

Mr. Speaker reads the daily prayer.

Mr. Speaker: Madam Clerk is there a quorum present?

Madam Clerk: There is, Mr. Speaker.

Mr. Speaker: The House will now come to order.

Mr. Chamberlist: Mr. Speaker, I rise on a question of privilege at this time. Mr. Speaker, it is a question of privilege that pertains to the interest of all Members of this House. This morning on a radio broadcast, the Honourable Member for Whitehorse West stated that the documents that he presented in the Council Chambers in Committee yesterday were sworn statements on oath and specifically stated that the statement produced by himself on behalf of a Mr. Paul Lucier was a statement sworn on oath. Mr. Speaker, this was a gross untruth. The document was not sworn on oath and once again I have to bring to Mr. Speaker and the House's attention this matter which definitely shows that the Honourable Member is not conversant with truth in the House. Mr. Speaker, I have a further matter here which I must bring to Mr. Speaker's attention at this time. In Committee of the Whole it was suggested that statements that have been made by myself at this House would not be said outside this House. Mr. Speaker, I wish to advise the House that if the statements are duly notarized in accordance with the Canada Evidence Act in the same wording, I will reiterate my statements outside this House. Mr. Speaker, I want also to bring to the attention of the House, section 126(c) of the Canadian Criminal Code which says as follows: "Every one who signs as affiant or declarant a writing purporting to be an affidavit or statutory declaration and to have been sworn or declared by him, is guilty of an offence and is liable to imprisonment for two years." I bring this forward because three of the statements are purported to be sworn. Thank you, Mr. Speaker.

Mr. McKinnon: Speaking on the question of privilege, Mr. Speaker, which I think is my right of privilege. I quote from the statement made by Paul Lucier. I do swear that everything in this statement is the truth as I remember it sworn by me in the City of Whitehorse in the Yukon Territory the thirtieth day of July, 1973. Mr. Speaker, to me that is a sworn statement. The Honourable Member doesn't think it is and no doubt, Mr. Speaker, we are going to have a long court case over it, which nobody wants.

Mr. Speaker: Are there any Documents or Correspondence to be tabled? Are there any Reports of Committees? Are there any Bills to be introduced? Are there any Notices of Motion or Resolution? Are there any Notices of Motion for the Production of Papers? As there are no Motions for the Production of Papers we come to the Question Period. Are there any questions?

QUESTION RE EDUCATION ORDINANCE

Mr. Stutter: Mr. Speaker, I have a question that I would like to direct to the Minister of Education. I wonder if she can tell us at the moment, how the intended or the new Education Ordinance is coming and when we might expect another Special Session of Territorial Council?

Mrs. Watson: Mr. Speaker, we are presently working on the Ordinance and we are making very good progress. I am very pleased to report. We won't be able to meet the deadline of the end of August or the early part of September, but I would be very hopeful, the end of September or the early part of October, the legislation will be ready to present to Council.

Mr. Stutter: A supplementary question, Mr. Speaker, I wonder if I could ask the Commissioner if in his view this legislation will be ready prior to the Fall Session

of Council, in other words, will there be a Special Session between now and the Fall, in all probability?

Mr. Commissioner: Mr. Speaker, it is very difficult for me to make any presumptions of the future in connection with the preparation of legislation and I would simply say that all Councillors will have proper notice of when this particularly important matter will be brought forward and beyond that I would hesitate to go, Mr. Speaker.

Mr. Speaker: Are there any further questions?

QUESTION RE MEDICARE

Mr. Tanner: Yes, Mr. Speaker, I would ask the Minister of Health, Welfare and Rehabilitation and the Commissioner, which ever one may choose to answer it, whether or not it will be possible by the time of the next budget to fund Medicare out of general revenue rather than by premium, or set up a committee to investigate.

Mr. Chamberlist: Mr. Speaker, I could indicate that all avenues of funding for the Medicare program are being given constant consideration. I cannot reply in a definitive manner at this time, but I will indicate that before the next budget comes forward we will have discussions in that particular area, beyond that I cannot make any commitment.

Mr. Speaker: As there are no further questions, we thank the Commissioner for his attendance. May I have your further pleasure?

Mr. Chamberlist: Mr. Speaker, I move that Mr. Speaker do now leave the Chair and Council resolve itself into Committee of the Whole for the purpose of discussing motions.

Mr. Speaker: Is there a seconder?

Mr. Tanner: I'll second it.

Mr. Speaker: It has been moved by the Honourable Member for Whitehorse East, seconded by the Honourable Member for Whitehorse North, that Mr. Speaker do now leave the Chair for the purpose of convening in Committee of the Whole to discuss Motions. Are you prepared for the question? Agreed? I declare the motion carried.

MOTION CARRIED

Mr. Speaker: The Honourable Member for Watson Lake will please take the Chair in Committee of the Whole.

Mr. Chairman: I'll call Committee to order. The first and only remaining item of consideration in Committee at this time is Motion No. 6. Councillor Tanner.

MOTION #8

Mr. Tanner: I just want to point out that Motion No. 9 is on the Order Paper too. Should it not be there?

Mr. Chairman: Motion No. 9 is not dealt with in Council.

Mrs. Watson: Mr. Chairman, I didn't hear your reply with regard to Motion No. 9.

Mr. Chairman: Motion No. 9 has not been dealt with in this House and thereby not permitted to be discussed.

MOTION #8

Mr. Tanner: Mr. Chairman, when Councillor Stutter and I wrote our motion, which is presently here, of which I can't seem to find a copy. We conveniently left it vague enough and open enough, so that all Members could have some input into it and do with it what they will. It is my opinion that the past six months have been a hectic six months from everybody's point of view, from the public's point of view, apparently from the press's point of view, from this Council's point of view and the City Council's point of view. It seems to me that every Member of this House should have the opportunity

to express himself to the Members that should sit on the Executive Committee. It seems to me also, Mr. Chairman, that the Executive Committee should hear the expression -- the consensus of opinion of this House as to the stewardship of their tenure in office in the last three years while they have been on Executive Committee. This House has passed a unanimous motion in Committee that we support the Executive Committee concept, as a progressive step towards self-government in the Yukon. That is the opinion that was expressed in Committee by this House. So that is not the question that I'm asking the House to resolve. I would personally like to reiterate my feelings about the Executive Committee concept because I haven't said very much in this Session so far. I do believe it is a genuine step towards progressive government. The Honourable Member for Whitehorse West and the Honourable Member for Watson Lake were both Members in 1969 of the Council which endorsed that theory. They felt so strongly about it, the whole Council went to Ottawa, they chose two of their Members, Councillor McKinnon and Councillor Chamberlist to be their spokesmen, they convinced the Prime Minister that we should have two Members on a tax period of time, they were of the opinion that the Executive Committee concept would work. Irrespective of the disagreements that I might personally have with those Members or any Members of the House, that was the unanimous decision of the past Council and it has been reconfirmed in this Council in Committee. One must draw the conclusion, a simple conclusion that their quarrel with the Executive Committee concept if any now has to be with the Members on the Executive Committee rather than the concept itself. I believe it will be absolutely wrong to dissolve this Council. Because there is no way that we can get away from the fact that we are laying the groundwork for a further expansion of Council and a further expansion of Executive Committee. I have come to the conclusion also that it would be a record great step to dissolve the Executive Committee per se, because it seems to me when you get down to the question, the people who are going to make the decisions as to whether or not to expand the Yukon Act or open up the Yukon Act and expand Council, expand executive authority within the Council and expand executive authority of the Executive Committee, I have got to say one of two things. I have got to say, one, they tried it for three years, they couldn't hack it for three years, they even threw the Executive Committee concept out the window, so they can't do it. They are children of the Federal Government, they should stay the children of the Federal Government, they don't deserve any more responsibility. Alternatively, they should say, they tried it for three years, it didn't work, obviously they have got a point, we have got to expand the Council and we have got to expand the Executive Committee. That is the nut of the question as I see it that has got to be answered by the Federal Government. My inclination is to think that they should say that they tried it for three years, it didn't work, I don't think we should give them anymore. They are not responsible, I happen to think that we are responsible, that the need has been amply illustrated over the last three years, that we need more responsibility, irrespective of the personalities or the decisions that have been made. The argument has been made that what we have done in the past three years has split Council, well let's face it, in any group of people where there is the City Council, where there is the Executive of an association, this Council or any other, there will always be grouping of people and one group will take one side and one group will take the other side, that has happened in this Council. But I don't think the Executive Committee was the split. I think the split was basically a difference of opinion right from the word "go" of a number of Members of this Council. I don't think the Executive Committee has added to that split, or made it any worse or better which ever way you want to look at it. I think the Executive Committee has, in the eyes of the public probably been the cause of some of the trouble, but from my personal experience in this House, I don't think it is the trouble. I don't think I can say strongly enough how absolutely essential it is that we take the Government of the Yukon out of the hands of the civil servants and put it in the hands of elected members. I believe it is absolutely essential to the next step that we do it as

fast as we possibly can or try to convince the Minister of Indian Affairs to do it as fast as he possibly can. We come to the problem that we face today and that is whether or not this Council has--is going to continue to support those two Members in that position. I for one have got to admit quite frankly that I don't know whether I should or I shouldn't, because I believe the majority of the decisions that those two Members have made over the past three years were 90 percent made for them. When I say made for them, they didn't have any choice. Legislative prerogatives, the need to bring in legislation, the restrictions that are put on them under the Yukon Act, the necessity of our own legislation, there was about a 10 percent leeway on any Member of this Council or any other Council, or any other Member of any other person sitting in that position to make those decisions. I don't believe the Commissioner, for example, has that much leeway. I don't think those two Members have had that much leeway. The force of circumstances, the force of legislation necessitates that they practically make the same decisions that they have made all the way through. The crunch for my money, and I think I express the public point of view, came when a duly elected City Council chosen from 18 people in this City, who ran for that office which were by their own volition, I would point out, resigned from City Council because of the circumstances they found themselves in. I am of the opinion that if it had been handled differently I don't think there would need be a Hobbs' Inquiry, I don't think we need be in court, and I don't think the members of City Council would have to take the position of running a separate court action against the Members of the Executive Committee. I think that was the summation of three years of misunderstanding on the part of the public. Misunderstanding because we put so much legislation through, some very very far reaching legislation in the past three years, all of it I agree with. Misunderstanding, perhaps on the part of those Members of this Council who sat on the Executive Committee. Quite frankly, Mr. Chairman, I think, I would like to hear the comments of other Members of the Council before I am personally prepared to put the question to the vote. I would like to hear it without the bickering backwards and forwards that we have had in the last three days. I would like to hear it without the personal vendettas that we have all experienced, we are all party to, and we are all guilty of, everyone of us. I would like to hear these Members and, if you like to call Councillor McKinnon the opposition and he has done a pretty fair job of being the opposition in the past three years, which is his duty. I would like to hear his comments before either this motion is amended, or this motion is put to the question in this House. I thank you.

Mr. Chairman: Councillor Stutter will you take the Chair.

Councillor Stutter takes the Chair.

Mr. Taylor: Mr. Chairman, just to clarify one point Motion No. 6 has already been carried in the House there is no amending possible to it. The motion I think that the Honourable Member referred to is that this Council discuss the appointment of the Elected Members of the Executive Committee and it has been carried. I, of course, most particularly over the past few years have voiced disapproval at times with the Executive Committee, I have felt as the Honourable Member who has spoken before stated, I agree that we went to Ottawa, we battled for two instead of one elected Member on this Executive Committee, and we endorsed the concept at that time. We thought of it as an experiment, and it still, in the eyes of the Federal Government, remains an experiment. I think we thought that possibly, when we did get the two members on this Committee, even though outnumbered by the Feds, so to speak, that maybe the power of persuasion by those who could provide input at the political level, maybe the power of persuasion would be the answer in this Committee. There is no doubt in my mind that the Members who have occupied this position since its inception have worked very hard at it. I have no doubt in my mind that they have put in long hours and hard work, however, possibly my objection comes from the objection of the

public and the results of their work and the direction of their interests, and these are two clearly different points of consideration. I feel and I feel now more strongly than ever, as I say that the experiment has failed, Mr. Chairman. And that the only solution to this dilemma of facing responsible Government and self-determination of the Yukon is that we must phase into a Cabinet style of Government not unlike a provincial jurisdiction. I think that the phase from Crown Colony status to provincial status if you will, could be achieved over the space of three Council terms which would give a total of twelve years, and I think that the first step should be the creation, if necessary of an Executive Committee which would be controlled by the people. The people would form the majority and the Feds, as I affectionately call them, would be forming the minority. But notwithstanding any of these assumptions, the Commissioner still runs the Territory. There is no question about it, the Commissioner is the sole administrator in this Territory and he has two Executive Assistants to advise him and carry on the day to day administration of the Territory. This Legislative Council is not really in a sense a Legislative Council. We indeed are advisors to the Commissioner. The crux of the whole thing and putting it right on the table, is that the people of the Yukon no longer enjoy, or entertain, the confidence of these two Members that we have appointed to the Committee. And this is found widespread throughout the Yukon, and as I say, they may have worked hard, as the way it worked out I certainly don't have confidence in those Members, I don't feel the results of their hard work have been entirely in the best interests of the people of the Territory, for reasons I have stated in other debates. People have been harrassed and harranged and through this monopolistic control of the Legislature, legislation is brought in here, it is approved by the majority, which seems to lend itself to the Administration, and often, not in all cases, but in many cases, legislation has been brought and passed through this House and implemented and enforced, which indeed is contrary to the wishes of the public of the Yukon Territory. I don't think the people of the Yukon Territory are kindergarten caliber; I think that they too, though they are not in the day-to-day administration of the Territory and don't have access to the files of the Government, and the policy-making decisions of the Administration, I still think that they know pretty well what they want. They have asked us to come to this table as elected representatives to represent them. And so, I personally have no confidence in the Executive Committee make-up at the present moment as it effects the appointees from this Council. Accordingly, Mr. Chairman, I would like to make the following motion...

Mr. Chamberlist: Mr. Chairman, I would with respect point out that the motion that is before the House has already been passed and the motion is that this Council discuss the appointment of Elected Members of the Executive Committee. That motion has passed, and a new motion and a new amendment cannot be made, and an amendment to a motion that has already been passed cannot be made. I was just pointing this out to the Honourable Chairman.

Mr. Chairman: I think I would have to take the view that this particular motion has not passed. The motion that did pass was a motion to put this particular motion into Committee of the Whole. As a matter of fact we are presently discussing the contents of the motion prior to putting the question.

Mr. Chamberlist: If Mr. Chairman wishes to interpret this in that manner he may do so, but the motion that has been passed was that this be discussed, the appointment of the Elected Members has been discussed, and that has been passed, and the Honourable Member for Watson Lake admitted that when he first opened up his discussion.

Mr. Taylor: The motion that I presented was not an amendment. This was a motion and it is quite confident for any Member of Committee to raise motions that are relevant to the matter under discussion. I would therefore like to move, Mr. Chairman, that this House has no longer any confidence in the appointment of Councillors Chamberlist and Watson to the Executive Committee, and requests the Minister of

Indian Affairs and Northern Development to immediately release these Members from their respective positions on the Executive Committee for the Territorial Administration. And I have as yet no seconder.

Mr. McKinnon: I would be happy to second that motion.

Mr. Taylor: I have copies here.

Mr. Chairman: You have before you a motion which I will now read. It has been moved by Councillor Taylor, seconded by Councillor McKinnon, that this House has no longer any confidence in the appointment of Councillors Chamberlist and Watson to the Executive Committee and request the Minister of Indian Affairs and Northern Development to immediately release these Members from their respective positions on the Executive Committee for the Territorial Administration.

Mr. Chamberlist: Mr. Chairman, I would again bring to the attention that we are not in this House, we are in Committee of the Whole, so the motion is out of order.

Mr. Taylor: No, that is incorrect.

Mr. Chamberlist: I wonder if the Honourable Member for Watson Lake who moved the motion, would indicate by which standing rule of Beausheue and the annotations to it on which he bases his supposition that this House is the same as the Committee of the Whole.

Mr. Taylor: Mr. Chairman, the Committee of the Whole is the Committee of the Whole House and has the same meaning. I am not going to get into a procedural battle on this.

Mr. Chamberlist: With respect, it is important that the procedural matter be dealt with at this time. Mr. Chairman is expected to rule on a particular specific matter and I would suggest that Mr. Chairman get the true clarification and give the Honourable Members time to look at their Beausheues and that a short recess be given so that the authenticity of this motion as to whether it is correct or not, can be examined. I would ask that Mr. Chairman do that.

Mr. Chairman: The Chair at this time seeks guidance. If any of the other Members have anything to add to this particular request to introduce a motion at this time I would be glad to hear them.

Mr. McKinnon: Mr. Chairman, the right of any Member of the House to introduce a motion into Committee is a right and prerogative of every Member of this House. The motion has been made in Committee, the Honourable Member who made the motion is the Chairman of the Committee, he has been active as the Chairman of the Committee for many years in this House. I can't remember the last time when a procedural motion or any motion that he presented has been ruled out of order, because he does know the rules and procedures in Committee and in the House as well, if not better, than any other Member of this House. Mr. Chairman, the Committee of the Whole House is exactly that. That is the Committee of this House, that is this House. And I just can't get it through me how we skirt it, how we circumlocute it, how we go out along the periphery all through this Session without coming to grip with a motion of confidence in Mr. Chamberlist and Mrs. Watson. Now we have another procedural debate, it appears, just to have a vote of confidence in those Members making up the Executive Committee. The motion is in order, let us debate the subject, let us have our say, let us vote on it, and then let's go home and give the people of the Yukon a rest.

Mr. Chamberlist: Mr. Chairman, these are very flowery words from the Honourable Member who has spoken, but obviously he is in such a hurry to get the Honourable Members of Carmacks-Kluane and myself off of Committee that he is not prepared to allow the Chairman to examine for himself the position. I have already asked Mr. Chairman, that the Honourable Member for Watson Lake bring forward the rule, and I will back away if he shows it, and the annotations, and I put this to the

Honourable Member for Whitehorse West as well. Surely it is not unreasonable that this be asked. I would ask, Mr. Chairman, that we have a short recess and let us all look at it, and I would like to spend a few minutes as well, but I would move that we have a recess of five minutes.

Mr. Taylor: Mr. Chairman, there is nothing I can add to it other than this point of order raised by the Honourable Member is certainly ridiculous. This is the Committee of the Whole House, the motion is quite in order, and this is what the motion states. That this House has no longer any confidence, and so forth. There is no annotation needed.

Mr. Chairman: The Chair in this particular instance admits ignorance and seeks further guidance from the Committee. Is it the Committee's wish that we have a brief recess of five minutes? I declare a brief recess.

RECESS

Mr. Chairman: I call the Committee back to order. For the very reason that I, last year resigned as Deputy Chairman as Committee of the Whole, was because this House does not seem fit to adopt a particular set of rules for conduct. And here again, we seem to come up against a wish of a Member that is being over-ruled mostly because of Beauchesne or because of standing rules, that nevertheless this House has not adopted. The opinion that I have been able to obtain during that brief recess is that this particular motion is a brand new motion that cannot be accepted at this time in Committee.

Mr. Taylor: Mr. Chairman, with all due respect, it is quite confident in Committee, this is done just about every other day in Committee of the Whole that these motions can be. We do it at every Session and the motion is quite in order, Mr. Chairman, with all due respect to the Chair. This is as I say is found in the rules and Rule No. 1 should cover this one quite clearly if there is any doubt in the Chairman's mind. Rule No. 1 of the Rules of the Council. There certainly was some doubt in the Chairman's mind and as I say I talked this thing over with the Legal Adviser in that brief recess and I had made the rulings. I could be wrong but that is the ruling and that is the way it stands.

Mr. Tanner: To the point of clarification, it doesn't preclude an amendment to our motion.

Mr. Taylor: It cannot be amended, it is carried in the House.

Mrs. Watson: Mr. Chairman, has that always been a procedural method whereby you can get this motion into the Committee of the Whole?

Mr. McKinnon: Mr. Chairman, I would like to move seeing that Mr. Chairman has ruled the motion by Mr. Taylor out of order which I consider to be well within his order and within the compliments of this House and I am going to go against Mr. Chairman's decision, even though I can prove it to him outside of the House that he made a wrong decision. I would like to amend Motion No. 6 by replacing all words after "That this Council" in Motion No. 6 by replacing all the words after "That this" in Motion No. 6, with the words, so that the motion now reads, "That this House has no longer any confidence in the appointment of Councillors Chamberlist and Watson of the Executive Committee and request the Minister of Indian Affairs and Northern Development to immediately release these Members from their respective positions on the Executive Committee of the Territorial Administration."

Mr. Taylor: I would second that motion.

Mr. Chamberlist: Mr. Chairman, two minutes ago, the Honourable Member for Watson Lake stood up and said he didn't know how he can do it, now he is seconding the motion. That's a joke.

Mr. McKinnon: Mr. Chairman, I believe that the motion is in order because of your ruling that Motion No. 6 has not been decided and was still in this Committee and was ready or capable of being amended. You ruled in the other procedure it was out of order, but I did not think it was correct, but accordingly to the ruling that you made I believe this by your information is well within the confidence of your Committee and well within the terms of this House to be able to do it.

Mr. Taylor: It has got to be in order, one way or the other.

Mr. Chairman: I personally believe that the amendment at this particular moment is in order, I can say from the Chair that the reason that I seconded the original motion, Motion No. 6 was with the very thought that probably if it were put into Committee, an amendment would be brought forward in either a negative or a positive form. I might have been ignorant at that time in trying to get the motion in, in that fashion, but I believe that the amendment to the motion is permissible.

Mr. Taylor: Mr. Chairman, I have just, it has just occurred to me I felt originally that Motion No. 6 was carried, but I find in Votes and Proceedings that in dealing with Motion No. 6. Mr. Chamberlist: "Mr. Speaker, I would move that this motion be referred to the Committee of the Whole for further discussion." Mrs. Watson: "I second that motion." Indeed I have erred in thinking that it had already been decided in the House. This is quite in order.

Mr. Chairman: May I have a copy of that amendment, please? The amendment to Motion No. 6 now reads, moved by Councillor McKinnon, seconded by Councillor Taylor, that all the words in Motion No. 6 after "that" be deleted and the following words substituted, so that the motion now reads, "that this House has no longer any confidence in the appointment of Councillors Chamberlist and Watson to the Executive Committee and requests the Minister of Indian Affairs and Northern Development to immediately release these Members from their respective positions on the Executive Committee of the Territorial Administration." Councillor McKinnon are you prepared to proceed with your comments?

Mr. McKinnon: Yes, Mr. Chairman, I am. Mr. Chairman, I think that if we ever saw an example of the way that this House and the rights and the privileges of all Members of this House are being used in a procedural effort to try to get a motion that should be debated by all Members, other than the two Executive Members are requested to debate before this House. A pretty fine example of the way that I feel the rights and privileges of all Members of this House have been used in the last three years in this House. I was interested last evening, Mr. Chairman, when Councillor Chamberlist remarked when he was reading into the record, of my telling the Councillors for the Yukon inside the House of how effective a fight is that I believe it was for the people of the Yukon at one time and what a fine opposition Member he was. I think, he was reading it into the record I am not really that aware of what Councillor Chamberlist is doing in the House these days, an attempt to embarrass this Honourable Member. Mr. Chairman, I still stand behind that intention, I still stand behind those remarks, that at one time in this House there was no finer champion for the individual rights and liberties of the people of the Yukon Territory. And no finer calling in standing and fighting the Department of Indian Affairs and Northern Development for the rights and privileges of every citizen in the Yukon Territory. The metamorphosis, Mr. Chairman, that have taken place is of course that political syndrome that attacks so many fine members of opposition once they attain power. They no longer heed, they no longer listen to, and they no longer abide by the decisions of the people who have elected them to this Legislative Assembly. Mr. Chairman, they grow arrogant in power and there is one thing that the people from Canada, the people of the provinces, the people of the Yukon and the Members of this Legislative Council cannot abide by and that is Members of this Legislative Assembly who have grown arrogant in power and are abusing the rights and privileges of their

power and with the effect that it has upon this House, the elected Members in this House and the people in Yukon. Mr. Chairman, I further will submit that they are so far removed from what is happening and from what the people are thinking that they actually think that they have been having quite an effect on the people of the Yukon during the last three days of debate in this Council. Mr. Chairman, I submit that they were having an effect all right, they were having an effect in showing Members of this House and the people of the Yukon just how grossly incompetent they have become in their positions of power. Mr. Chairman, they have mistaken the strength that they should have with the responsible ability of power that they have with arrogance. Mr. Chairman, I think there are instances after instances that can be gleaned from the Votes and Proceedings of this House, I said last night I was not prepared to do this, I think that all Honourable Members are aware of them. They are marked if I am challenged to use instances where I think they have abused the powers that Council has bestowed upon them. I think, that through these methods they have abused the people of this House. Mr. Chairman, I say that they have abused the people of this Territory and they have tried to abuse it all the way, Mr. Chairman, with the smoke screen of this massive plot against them and we have to suffer through Thursday and Friday, two whole days of debate in this House. Mr. Chairman, the business of politics is pressure. Every Member is continually weighing the arguments of different lobby groups upon his conscience in order to be able to come up with a proper and a right decision. You are in a political pressure pot all the time, it never stops. Every Member of this House is constantly having pressure put upon them. I dare say, Mr. Chairman, that there are some Members of this House that have been subjected to considerably more pressure than others, by their availability to the public of where the majority of the people live. Does that give everyone of us in this House the right to use the rights and privileges of this House and the right to use this House as a political vendetta for every person that we don't agree with, for every person that we think has done us wrong, for every group and for every organization that just doesn't happen to agree with us. Mr. Chairman, the only people in this House that have abused the responsibility of being elected Members and of using the smoke screen method, this method of using the immunity of the rights and privileges of this House to have these personal, petty, little, political vendettas played out in the public where there was no chance of rebuff from the public that was being attacked by the Honourable Member for Whitehorse East and the Honourable Member for Carmacks-Kluane. All other Members have fought good battles in this House, good debates. When they have lost they have gone home licked their wounds and come back to fight and debate another day. Goodness knows, if there are anybody that has been licking political wounds in this House over the last three years, it has to be the Honourable Member for Whitehorse West. I can't remember when the last time a motion of mine was accepted or the last time I won a debate in this House, and had the majority of the people in the House behind me. I still don't use this political caper to stand up to try and bellyache, to set up a smoke screen, to go against all the people, all the Members of the House who have voted against me. I go home, I forget about it, I come back the next day and I come back the next Session and I put up every bit as good a fight as I did before with the realization of one of these days I am going to win one. I think that is the way that every Member of this House and the people of the Yukon want strength in their elected Members. They don't want the weaknesses of you people using the political chamber to bring up all the plots that you think are being hatched against you, they are figments of your imagination and you better learn if you can't stand the pressure of the political game and political life, go out and find yourself another occupation. You are just no good to the people of the Yukon and you are no good to yourself.

Mr. Chairman, I just wanted to comment on what I think, possibly I can only call the seduction Mr. Chairman, and the rape, possibly, of a pretty helpless and naive political maiden at one time, and I refer to the Honourable Member from Carmacks-Kluane...

Mr. Chamberlist: Point of order. So help me God...

Mrs. Watson: Mr. Chairman, I object on a point of privilege your rotten and derogatory remarks are not called for in this House... Never mind, I'll take care of him myself. I expect an apology.

Mr. McKinnon: Mr. Chairman...

Mr. Chairman: Order, order, I would request that the Honourable Member...

Mr. Chamberlist: Stop it. Stop it.

Mr. Chairman: Order. Please order.

Mr. Chamberlist: You guttersnipe...

Mrs. Watson: I will take care of him myself. I expect an apology.

Mr. Chairman: Order.

Mrs. Watson: I expect an apology in front of the House. That is not politics.

Mr. McKinnon: Mr. Chairman, political seduction and rape in the course of a debate has no meaning at all.

Mrs. Watson: The innuendos are not lost.

Mr. Chairman: Order.

Mr. McKinnon: Mr. Chairman, if there was any innuendo at all that was taken from my remarks, I will be the first to apologize. There was none intended. There should be none taken. I would use the political seduction and the political rape on anybody in terms of political...

Mr. Chamberlist: You should get the...

Mr. Chairman: Order, please.

Mr. McKinnon: I want to make it perfectly clear and I tell the Chair, I tell the Honourable Member from Carmacks-Kluane that if she deduced from my remarks anything other than a political statement...

Mrs. Watson: Mr. Chairman, I don't like someone standing there pointing a finger at me ...

Mr. McKinnon: Then, Mr. Chairman, I tell you that I do apologize.

Mrs. Watson: Mr. Chairman, on a point of privilege. I don't intend to sit here and be harrassed and have a finger pointed at me. I asked for an apology and I think the apology should be forthcoming, without a finger being pointed under my nose.

Mr. Chairman: I wonder if the Member would withdraw his remarks particularly since it appears that the Member to whom they were aimed has taken them to be personal remarks, and not taken in a political fashion; they have been taken personally.

Mr. McKinnon: Because they have been taken personally and indeed they seem to have been taken so, I will, because they were not intended that way and this is just another point that I am making. You know, if you can't separate the political from the personal, if you can't accept political remarks in the way that they were intended, then it is just a further statement that those people who are

cracking under the political pressure...

Mr. Chamberlist: Hah.

Mr. McKinnon: ... should not be in those positions of political power. Because I have been called an awful lot worse...

Mr. Chamberlist: You're going to be...

Mr. Chairman: Order.

Mr. McKinnon: ...and probably will be, as the Honourable Member knows, and I never take umbrage at them. Mr. Chairman, I would just like to ask if the Honourable Member from Carmacks-Kluane really thinks that politics have to be conducted in a three ring circus atmosphere, with constant and steady confrontations the only solution. Mr. Chairman, she talks about the people of the Yukon being duped by the syndicate, the people of the City of Whitehorse being duped by their advisors, the Members of this Council being duped by various other factions. I wonder, Mr. Chairman, if probably the converse to that is closer to the facts. Perhaps maybe she has been duped by one of the masters of political intrigue, that the Yukon Territory has ever seen. And I refer, quite graciously, to the Honourable Member from Whitehorse East, that he takes no umbrage at these political remarks that I have made.

Mr. Chamberlist: I'm suspicious of your graciousness.

Mr. McKinnon: Mr. Chairman, the more I see of this motion, which now is moved by me, and when it is in front of all of us and we have to make a decision on it, I think the happier I am with it. At this Session we have agreed, Mr. Chairman, that the Executive Committee, or the Executive Council concept, is a necessary transitional limbo to constitutional reform. I think, if I remember correctly, and I think the Votes and Proceedings will show, that this was passed unanimously in Committee. We have not agreed on dissolution, Mr. Chairman, but we have stated that we don't necessarily agree that this House has to continue until September of 1974. If constitutional reforms were brought in it would make the Executive Committee concept of Government workable. We have heard so many cries, Mr. Chairman, in the last few years, who is responsible. The Honourable Member from Whitehorse East has made the same point in debate in this House. One day it seems to be the Minister of Indian Affairs and Northern Development who is responsible for the state of affairs, the next day it seems to be our friend, the Commissioner of the Yukon Territory who is responsible for the state of affairs. The next day it seems to be the Executive Committee who is responsible for the state of affairs. The frustration is, Mr. Chairman, that that's the whole point. That nobody knows and nobody can put their finger on it as to who is responsible for the actual state of affairs in the Yukon Territory. There has to be constitutional reform, there has to be the majority of the Members of the Executive Committee made up from the Members of this House, then there is no question whatsoever in anybody's mind who is responsible for what is happening. It is the Cabinet system of Government, the majority of whose Members are elected from amongst this Council. The responsibility is clear, so people are not frustrated, they know wherein the blame and the responsibility lies. They do not have to worry about asking for the impeachment of the Commissioner, or asking for a new Minister of Indian Affairs and Northern Development, they only have to wait for the next election and get rid of those people who formed the majority on the Executive Committee. This has to be done, or the Executive Committee concept just cannot work but it will continue to work exactly as it is right now, no better a system that it was prior because the responsibility to the people of the Yukon who are the judges and are the alder. If we believe in democracy, still to this point do not know where the responsibility lies. And Mr. Chairman, if this motion is passed, we also do something else. We bring back to earth from their lofty perches in the ivory tower on the third floor of this building, two ordinary Members of Council who just flew too far, too fast. Mr. Chairman, they can come back to us, we will welcome them with open

arms, just the prodigal son...

Mr. Chamberlist: oh, no...

Mr. McKinnon: ...just like the prodigal son and daughter returning to the fold. and to say even more biblically, there will be great rejoicing, Mr. Chairman...

Mr. Chamberlist: Oh, stop this...

Mr. McKinnon: if this motion is passed. Their wings will have been clipped a bit, but all we politicians suffer our ups and downs, and I said prior, there are some in this House who have suffered an awful lot of downs in the last couple of years. And Mr. Chairman, I think the Commissioner and the Minister of Indian Affairs and Northern Development will see from this action the need for immediate constitutional reform as it applies to the Executive Committee system of Government. Mr. Chairman, if the Honourable Members have become so satiated, and I speak of the Executive Members of Council from the elected ranks with their short swing at power, that they can no longer sit as ordinary mortals and ordinary Members of this House amongst us. Then of course, they have an obvious choice, and that course is open to them, and the public can find other Members to take their place to work for the benefit of the public of the Yukon in this House. Mr. Chairman, the elected Members of the Executive Committee have embarked on a series of confrontations with the public of the Yukon. We must remove them so that these confrontations will terminate and terminate immediately. They have been arrogant in their positions of power, they have abused the rights and the privileges of this House. They have not shown strength as leaders in power, but conversely have used this smoke screen of excuses in a pathetic attempt to hide their weakness. Mr. Chairman, I support the proposed motion of non-confidence in them wholeheartedly, and will be the first to welcome them back with open arms, back to Earth, back to the Council, and back to people's service. Thank you, Mr. Chairman.

Mr. Chairman: Councillor Taylor, I have requested that you resume the Chair because I think it is only fair under the circumstances that I do not at this time remain in the Chair.

Mr. Stutter: I think it is only fair that I should show my colors as it were. And if ever there was a motion I would like to have abstained from voting on, this is it. However, that would go completely against my principles and my thoughts. I would have expected last night that the amendment that would have been brought forward today was one by Councillor Chamberlist seeking as they have done in Motions 1, 2, and 3, a vote of confidence in this Council. That one I could not have supported, for the simple reason that I think the events that have happened over the past two or three months, and more particularly some of the astounding information that has been brought forward on both sides in the last few days, makes it almost impossible for one to really decide in this particular instance whether the two elected Members to the Executive Committee should still be there or not. I have been prepared and was prepared to make statements that more or less would have given them not so much a vote of confidence but to show that some of the confidence had certainly been shaken and that it should be up to their consciences as to whether or not they should resign from those positions. I believe, if I can just refer briefly to some of the events in the last couple of months, and the last couple of days, it seems strange to me that some action wasn't taken a long time ago by the Executive Committee, and here when I say the Executive Committee, I include all four Members. I say that action should have been taken to stop the Hobbs Inquiry. The other day the Commissioner made it quite plain that to him, at least, section 82 of the Municipal Ordinance was clear, and that the three mills referred to, refers to the accessible and taxable property. And as such, if this was quite clear in his mind, and later it became fairly clear in the Hobbs Report, that this was the feeling there too, then the actions that were taken by The City Council in Whitehorse, obviously by other

sections of the Municipal Ordinance were contrary to the Ordinance, and were punishable. Nevertheless, we have heard in the last few days also, from the Commissioner and from both elected Members to the Executive Committee that they want to see all actions dropped against these aldermen. That they don't in any way place any obstacle in their way from running for office again. To me this seems so contradictory on the one hand to have one section of the Ordinance

that is perfectly plain, and on the other hand other sections of the Ordinance that definitely points a finger, whether they have done it innocently or not, at the aldermen, and make statements then that there are no further obstacles being placed in their way by the Government, shows complete inconsistency. It has been pointed out by some of the statements made by aldermen or ex-Alderman Lucier, and I haven't been idle in the last few hours, I have talked to three others of the aldermen who were present at some of the meetings that were referred to in his statement. It has been pointed that the Government in the last instant just before this Council was called to Session, or this Session was called to order on Monday last, that the Government was bending over backwards to correct some actions, or the chain of events that had taken place a couple of months prior to that, leading up to the resignations of the aldermen. There were prepared statements put before the aldermen, which they were expected to support and to sign, which they didn't, in the first instance. The appointed Members to the Executive Committee made offers which I believe were absolutely contrary to anything that should have been submitted. The word bribe has been used fairly openly by Councillor McKinnon and by ex-Alderman Lucier, and in these conversations that I have had with the other three aldermen involved, I would have to agree that this is just exactly what it amounted to. It was a bribe. I don't know for sure whether the elected Members on the Executive Committee were or were not aware of this particular transaction, or of this particular offer, that was made by the appointed Members. In answer to a question that was given, or that I made yesterday to Councillor Chamberlist, he indicated that he had no prior knowledge of it, prior to the statement that was released through Councillor McKinnon. All of these facts to my way of thinking have at least shattered, or shaken any confidence that I did have in the Executive Committee. Whether I particularly want to go far enough to say that I don't have any, any at all, confidence in them, I don't know. But my back is against the wall. There is a motion before us and as I say, I cannot in honesty abstain from voting for it - er - on it, and I would have to support this motion, because my confidence is no longer in the Executive Committee in a whole-hearted manner, the way it should be. Thank you, Mr. Chairman.

Mr. Chamberlist: Mr. Chairman, first of all I am going to reply to the Honourable Member for Dawson City. I think that I should reply to him because he made a contradictory statement. He said the he has received certain information, he had discussed certain things with the aldermen. Now I don't know what he discussed, but what he did say was that certain appointed Members, he drew the conclusion that certain appointed Members had said certain things. I am going to tell you this, Mr. Chairman, and Members of this Committee, I do not believe for one moment that people with the character of Frank Fingland or Merv Miller will do anything like that. If these Members -- these aldermen during the last three days, and I have not mentioned them at all, would come forward and state publicly and speak about the things that I'm told of. The Honourable Member for Carmacks-Kluane and myself, together with one particular alderman who gave us this particular information, Mr. Chairman, about the deal with the Yukon Electrical Company. This information wasn't picked out of the sky, but to come back to the point that I made, if the Honourable Member for Dawson City was absolutely correct in everything that has been said, that appointed Members had, even if they had done a certain thing, he is saying that he is going to support a motion against the Honourable Member for Carmacks-Kluane and myself just simply on the basis of what is purported to be said by somebody else. As far as I'm concerned, that shows a weakness that I would have never imagined in Councillor Stutter, because he didn't separate the chaff from the rest.

Mr. Stutter: Mr. Chairman, on a point of privilege, I would have to point out that in my statement I said that in the event I was convinced in my own mind that many of the events that took place could have been avoided. Those events would have been avoided, had it been a decision of the complete Executive Committee and the one particular instance that you've mentioned, it does appear that I am willing to sacrifice you and the Councillor for Carmacks-Kluane because of the appointed Members adding that the main thing is, it is my estimation that many of things that took place could have been avoided in the long run. It was admitted by the Members of the Executive Committee and theoretically it would have to be with the agreement of the rest of Committee that the Government had been wrong and wanted to do everything in their power to end all of this argument between the two levels of Government.

Mr. Chamberlist: Mr. Chairman, I don't know what you mean in reference to that statement that has been made because now the Honourable Member for Dawson has said that yes in a way this is what I'm doing, I am placing responsibility upon the Honourable Member for Carmacks-Kluane and Whitehorse East. Let me say this. The oath of office that I took relating to the Executive Committee stands and nobody in this House will know from me what discussions take place in the Executive Committee. You can assume whatever you like, it is up to yourselves to say whether or not that your elected Member to that Executive Committee has worked for the benefit of the people of the Yukon Territory. If on a basis that he is saying is purely conjecture I've heard the word conjecture stated before, the old days have gone by, the witch hunt, when they use to burn people at the stake simply because they have drawn an assumption and somebody has told them that somebody can make somebody else sick, so we'll burn them at the stake. I thought we had gone past that particular stage and this is what is now being said. Councillor Stutter has said something and I hope when it comes to the vote, you will reconsider, because and I will say to you as well: Anything that has been going on, has been going on in confidence, but one of the wickedest things that I have ever seen come to this Table here is a former alderman, Paul Lucier, who with other aldermen had combined to seek, coming from them some sort of alleviation of distress that they thought they would find themselves in as a result of a fee of \$500 a day by that great friend of the Honourable Member, Councillor McKinnon, the Member of Parliament \$500 a day, was seeking how this could be alleviated. Let me tell you that it was as a result of a conversation that Alderman Boyd had requested that he meet with Councillor Watson and myself. It was simply on that basis. We have got information certainly, and I'm not going to display it because, at this time, it was information that I consider was given to us so that we could proceed in certain things to straighten out certain matters at their request. This is where, I think, there is a prejudgment being made. I can understand why the prejudgment is being made by the Honourable Member for Whitehorse West and the Honourable Member for Watson Lake. I can understand that because they have been consistently opposed to what takes place in this Legislative Body. I cannot but help feel how ludicrous it is, when the Honourable Member for Whitehorse West stands up and says you can see what is going on here in this Council because even in debate motions are being objected to. Well debate, motions, parry and thrust, it's the life-blood of a legislative body. By his own mentor, his own political mentor, is a past master at it he does it continuously in Parliament, he has lost some of the tricks of the trade. He does not want to see it in this Legislative Chamber. There is not a legislative body in the whole western world that doesn't proceed in normal routine of legislative insight and to project that this is bad for democracy, it is bad for the Legislative Body. Every now and again, we come across an academic fool. I am just wondering whether we haven't got one in our midst. Mr. Chairman, I am not an academic fool. I have no degrees. It is a degree of academic foolishness that I am talking about and the Honourable Member for Whitehorse West, Mr. Chairman, is very high, he probably has a master's degree, I don't know. Mr. Chairman, the Honourable Member has also spoken about

if he would have studied more his Votes and Proceedings, he would have been able to glean information. I cannot but help remark that in the years that I have been on this Council, it is peculiar because I must bring it up at this time, Mr. Chairman, although Mr. Chairman is aware that in 1961 two of the people that are left on this Council were there then when they voted that my seat was no longer held. The two people at that time, my friends, Councillor McKinnon, Councillor Taylor, it is a repeat performance. I came back again, I came back because I knew that the people of the Yukon recognized that I was for people whether I am in the Executive Committee or not. I haven't got, Mr. Chairman, the news facilities and the news broadcasting facilities and the TV facilities and the assistance of the newspaper media to go and spit out all over the place what is to be done. I haven't got that available at all. The Honourable Members, they have that. When the Honourable Member talks about rights and privileges of this House. He talks about immunity. Here again I have to come and say this quite openly, here are Legislative Members of a Legislative Body who fail to comply with the legislation that has passed this House and are subjected to the courts for the manner in which they have acted. Now what credibility is there in this? Have a look at these people that are fighting us. Councillor McKinnon, Councillor Taylor, the Member of Parliament of the Yukon, the former Mayor of Whitehorse, isn't it peculiar now, isn't it peculiar that the Magistrate in sentencing the Honourable Member for Watson Lake, says this, sentencing in this particular case, is to the court somewhat difficult. I am at a loss to understand why a Member of the Yukon Territorial Council who is charged with the responsibility of making legislation for the benefits of the citizens of the Yukon would take it upon himself in direct violation of the law that he was charged in making laws and to carry out, contravene a section under the Yukon Health Ordinance.

Mr. Taylor: Point of order, Mr. Chairman, I am wondering if the Honourable Member could inform me as to what relevancy this has in this debate.

Mr. Chamberlist: The relevancy is credibility, Mr. Chairman, and credibility is an important matter for Members of this Committee to decide whether the mover and the seconder of the motion had any credibility whatever.

Mr. McKinnon: Let the people decide that.

Mr. Chairman: Order, please.

Mr. Chamberlist: The Honourable Member says, why rub salt in the wound, after all he knows he was wounded and why was he wounded. He was wounded as a result of his inability to recognize his responsibility to this Legislative Body. I feel very upset indeed, Mr. Chairman, that the Honourable Member for Dawson City should really by supporting this type of motion from these two people condone that they are superior to the Honourable Members that have worked on behalf of the Council. The Honourable Member breaks out in laughter, it is the nervousness, the weakness, the inability to show strength that the Honourable Member for Carmacks-Kluane and I have had in some of the public decisions that we have had to make. Certainly, the point that has been made and made quite clear, Mr. Chairman. The Honourable Members that have moved this motion, only seek the destruction of this Council, the destruction of the Executive Committee, they seek to alleviate themselves a little higher because they're so low in the eyes of the public in the manner in which they have conducted themselves. The stupidity of laughter when another Member is speaking shows really how weak the position is. That in all saying, that the Honourable Member for Whitehorse West had been deeply and carefully laid claim to his always supporting and working for the people of the Yukon. Mr. Chairman, you should recall that year after year outside what is now the coffee room of these Chambers piles of Votes and Proceedings in envelopes dated two years back were still there, never opened. This is the hard-working Member who comes forward and says that I am the epitome of what a legislative person should be in a legislative chamber. The Honourable

Member for Watson Lake, I have had the misfortune to drive with him in his car, looking at you sitting on his backseat are piles and piles of envelopes, these types of conditions, sealed envelopes and what happened, he is too busy, he is too busy speaking to a microphone on his radio unit that is not connected. Fantastic people that we have that are Members of this Legislative Body. What happens? Then comes the complaint that the Executive Member for Carmacks-Kluane and the Executive Member for Whitehorse East our credibility to conduct themselves as properly as Executive Committee Members. The Honourable Member has just passed a remark that I have slipped, it is quite true, I slip backwards every time I see the ball bounce towards me. Quite true. Mr. Chairman, the Honourable Member for Whitehorse West made what I consider to be a most unprovoked and vicious attack on my colleague. Although the Honourable Member for Carmacks-Kluane, I'm sure and always has been very very capable of taking care of herself and she will I'm sure. But I cannot let it go by, Mr. Chairman, and when I think that after those words were said that the Honourable Member, notwithstanding, could say that he would support a motion brought forward by a person of that description and that nature it just surprises me and I cannot, but help to think that perhaps, I should take another review of the Honourable Member as well. I am sorry because Councillor Stutter is one of the good Members in this Territorial Legislative Body.

Mr. Stutter: Just a point of privilege, Mr. Chairman, I would just like to point out since the Member is always referring back to Votes and Proceedings perhaps he should look back to November, 1970 and he would see that I and Councillor Tanner were the mover and seconder of motions that would have put Councillor McKinnon and Councillor Taylor in the now two positions in the Executive Committee.

Mr. Chamberlist: Yes, I am well aware of that, but also easily following that, there has always been a suggestion that I shouldn't refer because I already had a hand in it because I already knew that somebody was going to say something about that, so I got it ready for me. It is pretty peculiar because at that particular time there was a lot of fussing going on, the two love birds, the Honourable Member for Whitehorse West and the Honourable Member for Watson Lake having telephone calls between Japan and here, telling each other how much they admire each other. It was a long distance love affair.

Mr. Tanner: On a point of order, Mr. Chairman, the love bird in this case was me.

Mr. Chamberlist: It's now coming out a bit, you know. Who was loving who? I didn't really realize... Mr. Chairman, it is interesting to note that in the beginning of 1970, now at the beginning of this Council, right, in 1970, and it has been referred to now, that there was a lot of juggling taking place and this Councillor kept in the background, completely on all these long distance telephone conversations. I just went about my business. I was just waiting to see what would happen. And after a few things of juggling about, I thought, well, these guys are playing a little, O.K., I'll get into the picture. And five people got together and said, we have got to show a viable type of Government to prepare for the day when the Government gets increased, the Council gets increased. And the five Members, Councillor Watson, Councillor Tanner, myself, Councillor Rivett, and Councillor Taylor. And it was decided, and the Votes and Proceedings speak for themselves, it was decided that we be chosen to fill these positions. Let me say this, Mr. Chairman, I would say firstly for Councillor Watson, there is nobody in this Council Chamber that can carry out the job or work in a way even closely resembling the manner in which she has carried out her work. It has been completely exemplary. She has been under much strain and especially with this new Ordinance that is coming forward much difficulty in trying to get what is good for the children of the Yukon and the teachers of the Yukon and the people of the Yukon, a good sound piece of legislation. There is nobody in this position that can take her place. Now, it seems to me, and I am not going to speak about myself because I don't want people to pat me on the back unless they really mean it.

but I know that as an Executive Committee Member, I had to do what I think is right and I have to take positions, when I think these positions are right. And it seems to me that this Council is going to allow the actions of a City Council that resigned because of the bad advice they received from an incompetent lawyer, and I say within that advice that was given, from an incompetent City Manager, and I will say this as well, that most incompetence that the evidence has shown for itself. The Honourable Member from Dawson has said quite clearly that they didn't do these things that should have been done under the Municipal Ordinance. And notwithstanding, when there is a vote, and he has indicated that he is going to vote against it. I wonder why. I wonder why he is going to vote against. He can't say, and I would ask him to say this, whether I have not carried out the work that has been allocated to me. I will ask anyone of the Members. Whether it is just a personal situation that has developed and the feeling that the Honourable Member must go along with what has become a strange, bad written type of thing, where you have two people so far apart in their thoughts as the Honourable Member from Whitehorse West and the Honourable Member from Watson Lake. They are so completely void of distance between them. There is some sort of a gap there, I can't explain just exactly what that gap is. I don't want to use the particular word for it. So let me say this generally, and in finality, because I think that people should recognize this, that the, where the Honourable Member suggests that Councillor Watson and myself should consider that we should come down to a level and be mortal, apparently he thinks, that is Councillor McKinnon, apparently he thinks that he is immortal and there is no way that this consideration can be given to him at all. There is no doubt that the responsibility of this vote of confidence is not the Members of this House, it is the political puppets of Mr. Nielsen and Mr. Hougou, and especially I say the Honourable Member from Whitehorse West who has made it quite clear that he is one of these puppets because he asked to bring forward certain special things that come over the weekend. And I recall, and I am sure Members in this Chamber recall, that he made it quite clear that he was in this Council Chamber because he had to have two jobs to make a living. He cried, he said, you are trying to take my living away from me. That is what he is in there for. I am not here for my living. I don't need the money. Mr. Chairman, I think that public has listened very very carefully, unfortunately much of what has been said here does not go out. It is unfortunate, very unfortunate. It doesn't go out because it is only those people that are here on a day-to-day basis that see the tricks that have been pulled, all along the line and the inability, Mr. Chairman, for Members of Council to recognize the solid work and the solid responsibility, the recognition of the responsibility that the Honourable Member from Carmacks-Kluane and myself have accepted and carried out. And the very very great strain, - who else would have gone through that Medicare situation in the Bill, and the attacks that were made on my family and buckle down in the manner that I was able to stand up to it. But this was the hope, the hope that there was to break me. And I repeat, the Honourable Member from Whitehorse West and his friends have got a tough fight on their hands. And I tell you this much. That I am going to be here whether I am on the Executive Committee or not. I am dedicated to the Yukon, and I am not dedicated to money, I am not dedicated because I depend on my job or anybody, and what I have to say, I'll say it when I have to say it, and I say, Mr. Chairman, that I have served the Yukon pretty well, and if the Members wish to vote me out of the Executive Position office, then they can do so. But I do know this much. That out there I've got friends. Lots of them, hundreds of them. People that know they can come to me at any time during the day or night and if they needed assistance and advice, I have given it to them, and I have never charged them \$500.00 a day. Thank you.

Mr. Chairman: Is there further discussion on this amendment?

Mr. Tanner: Mr. Chairman, I would suggest a short recess seeing the time.

Mr. Chairman: Alright, I declare a short recess.

RECESS

Mr. Chairman: Alright, we were discussing the amendment to Motion No. 6. Is there further discussion on this matter?

Mr. Tanner: Mr. Chairman, one of the points that nobody seems to have considered so far is that if we remove Councillor Chamberlist and Councillor Watson, the Honourable Member from Carmacks-Kluane, from their positions, we have to replace them with somebody else. Step No. 1 might be very simple. But what do we do for step No. 2? I, for one, am not prepared to serve on the Executive Committee. I haven't been since the inception of this Council because I don't think I have had sufficient experience. I, for one, could not support Councillor McKinnon for one of the positions, because he and I have been at loggerheads for the three years that we have been here. I, for one, could not support Councillor Taylor for one of those positions either, because I don't think yet, after three years of being here with him, that he understands what has been happening here for the last three years. I think Councillor Taylor still sees this Council in exactly the same light as the previous Council and there is no iota of similarity. Three years ago it was seven Councillors against the Administration in the person of the Commissioner. And that was a comparatively simple life. But today it is an entirely different life. One of us or two of us enjoy, or maybe don't enjoy so much, the executive authority in the Executive Committee. So that will now leave three of us, as far as I am concerned. So before we get carried away, and I am not committing myself one way or the other right now either, but before we get carried away right now we have got to think of the next step, unless we are going to leave the positions vacant. That is the third alternative. And that is an alternative which I don't enjoy at all because as I said in my opening statement at the beginning of this discussion, I think the Federal Government, the Federal Department of Indian Affairs, and the Members who sit in Ottawa, that is the elected Members, 264 Members of the Federal Government, will consider, and their conclusion would be that we have tried and that we can't make a go of it. And they would do nothing for the next five or ten years. So, personally, I think it is essential that if we remove these two Members, we have got to replace them with somebody. I think also, Mr. Chairman, that the minute the Member from Carmacks-Kluane could have the opportunity to speak, she should. She is under attack and she should be able to justify her position and have her rebuttal to Councillor McKinnon's point of view.

Mrs. Watson: Mr. Chairman, I like the word that the Honourable Member used, "hack", and I welcome a vote of confidence. I sincerely do. The only way an Executive Committee Member wants to function on the Executive Committee is if you know that you have the confidence of the majority of the Members within this House. That is the only way that you can function. You must know that you have that majority. Now, I am naïve politically, however I have never envisaged a vote of confidence resulting in the type of attacks that we have been subjected to today. And this Council needs to grow up. My understanding of a vote of confidence is through a money bill, and in my case, when the Schools Ordinance is brought in. If you didn't agree with the policies that I proposed for the Schools Ordinance for Education, then you should have voted the non-confidence. But this type of Kangaroo Court that we have had today, where we have been hauled over the coals and back again, and personally attacked in a very rude, uncouth manner by the Honourable Member from Whitehorse West, to me is not a vote of confidence. And as I said, I welcome it. I do not want to function on the Executive Committee unless I am sure that I have the confidence of the majority of this House. And I would make some arrangement, or endeavour to make some arrangement, had we not been able to get a motion before the House today. The pot has been boiling on this for a long time, but I still think the method you used is very primitive, and we need to mature a great deal. I can understand the Member from Dawson City supporting this motion of non-confidence, however I am very disappointed in the reasons he gave, and he is specifically referring over to this confrontation between the City and the Territorial Government, the reason of why he lost confidence in the Executive Committee. I don't know whether you Honourable Members realize that this situation from the

very beginning when those five lots were bought, I realized best that eventually it was going to end up here and it was going to be laid at the foot of the Territorial Government. How right I was. The Honourable Member made one very good point. He said that this should have been stopped long ago, and I agree wholeheartedly with it. This should have been stopped immediately when the resolution was passed. The Inspector of municipalities, the administrative arm of the Territorial Government, not the politicians, should have been over there and said "You can't do it" and that is that. That is the Municipal Law, you abide by the Yukon Territorial Municipal Law. Why didn't he do it? Because the political situation in the Territorial Government and the City Government was such that he would be committing suicide by doing it. Can you not see the newspapers? Can you not hear the declaration by Mr. Byron and Mr. Wybrew? The Territorial Government is trying to run the City's affairs. That is what would have happened. Had we not had the Hobbs' Inquiry, Mr. Burrows would have had every right to say the Territorial Government is negligent in their duties. When Mr. Burrows wrote the letter, you notice, before the Territory even replied to his letter, what do you do? A letter was written to the City Administration asking for an explanation. And that explanation was so loaded full of lies and misrepresentation. If they at least would have been honest about it. Then you're up against the box again. Now, what do you do? Here is a citizen who wants this investigated. They brought up points in their explanation that had never been brought up in the floor of the City Council. And as I said, this whole situation from the beginning, was going to end up here and that is where it is today. And that is not how politics should run in the Territory. Municipal affairs and city politics should stay over on the City side, and the administrative people should be dealing with the administrative people over in the Territorial Government. And the politicians should not get involved in administrative affairs. And Mr. Byron is not a politician, but over the past three years, he has taken the role of the cheap politician for the City Government. And every decision that was made was thrown right into the political arena. And here it is today. And no way, no way could this ever have been stemmed, no matter what decision we would have made. It would have wound up here. I have very little more to say, but I repeat again. I welcome a vote of confidence. I don't want to stay on the Executive Committee unless I am assured that I have the confidence of the people of this House. The Executive Committee is a thankless job. It is a difficult job. And it is almost an impossible job unless you know that you have got the cooperation and the backing of some of the other elected people. It is just a farce if you are in there, always wondering whether you are doing the things that the elected people in the House could support. I think there has been a lack of communication to a certain degree, between the elected people on the Executive Committee and the Members of the Territorial Council who has supported them in the past, and I think this is one area where a great deal of work will have to be done. Maybe this is one of the deficiencies of the Executive Committee at the present time, and in my own estimation, I think this is the biggest criticism that you can make of the elected people on the Executive Committee. And part of the reason for this is the element of time and the element of time as far as the other people are concerned, but I feel that there should be regularly established meetings so that there can be a continuity of input from the elected people on the Council to the Executive Committee Members. Thank you.

Mr. Chairman: Any further discussion on the amendment?

Mr. Tanner: Question.

Mrs. Watson: Mr. Chairman, would you please read the motion?

Mr. Chairman: The motion has been read once, but...

Mrs. Watson: Mr. Chairman, would you please read the motion?

Mr. Chairman: I am afraid that we are not dealing with the motion. I will read the amendment. It had been moved by Councillor McKinnon, seconded by Councillor

Taylor that all the words in Motion No. 6, after 'that this' be deleted and the following words substituted so that the motion now reads: That this House has no longer any confidence in the appointment of Councillors Chamberlist and Watson to the Executive Committee and requests the Minister of Indian Affairs and Northern Development to immediately release these Members from their respective positions on the Executive Committee of the Territorial Administration. Are you prepared for the question?

Mr. Chamberlist: Question.

Mr. Chairman: Are you agreed?

Some Honourable Members: Agreed.

Some Honourable Members: Disagreed.

Mr. Chairman: Will those agreed kindly signify. Will those disagreed kindly signify. I declare the motion defeated.

MOTION DEFEATED

Mr. Chairman: Is it your wish that the motion just be left to die? Because the motion makes no sense now. The motion originally was that this Council discuss the appointment of the elected Members of the Executive Committee, which we have now done.

Mr. Chamberlist: I suggest that we now vote on the motion as amended, Mr. Chairman.

Mr. Chairman: I am afraid that there is no amendment. Apparently the Member is confused. We just defeated the amendment. So is it your wish that Motion No. 6 be left to die? The Chair would then entertain a motion that Mr. Speaker now resume the Chair.

Mr. Chamberlist: Mr. Chairman, I move that Mr. Speaker now resume the Chair.

Mr. Chairman: Seconder?

Mr. Stutter: I second that motion.

Mr. Chairman: It has been moved by Councillor Chamberlist, seconded by Councillor Stutter that Mr. Speaker now resume the Chair. Are you ready for the question?

Mr. Chamberlist: Question.

Mr. Chairman: Are you agreed?

Some Honourable Members: Agreed.

Mr. Chairman: I declare the motion carried.

MOTION CARRIED

Mr. Speaker: The House will now come to order. May we have a report from the Chairman of Committee?

Mr. Taylor: Yes, Mr. Speaker. Committee convened at 2:10 p.m. to discuss motions. It was moved by Councillor McKinnon, seconded by Councillor Taylor that all the words in Motion No. 6 after "that this" be deleted and the following words substituted so that motion now reads "that this House no longer has confidence in the appointment of Councillors Chamberlist and Watson in the Executive Committee and request the Minister of Indian Affairs and Northern Development to immediately release these Members from their respective positions on the Executive Committee of the Territorial Administration. The amendment was defeated on division. Motion No. 6 was then allowed to die. It was moved by Councillor Chamberlist, seconded by Councillor Stutter that Mr. Speaker now resume the Chair, and this motion carried.

Mr. Speaker: May I have your further pleasure? Would any of the Members wish to reply to the Commissioner's Opening Address?

Mr. Taylor: Mr. Speaker, just before we proceed to that level, I can report that your Committee has now concluded all the work placed before it and I would presume that we are now ready for prorogation.

Mr. Speaker: Do any of the Members wish to reply to the Commissioner's opening address?

Mr. Tanner: Mr. Speaker, I would suggest that enough has been said over the past six or seven days and I for one do not have any reason to reply to the Commissioner's opening address and I think that the public and everybody else has had enough for two or three days and I would suggest that we prorogue.

Mr. Speaker: Are we agreed?

Some Honourable Members: Agreed.

Mr. Taylor: Mr. Speaker, I have a reply and a Member has the right to make a reply.

Mr. Speaker: Yes, if he wishes.

Mr. Taylor: Mr. Speaker, I might say that I am very, very disappointed in the events that have taken place at this particular Session. I think that the blood letting that has gone on at this particular Session has been a terrible state of events - a tragic state of events in the course of evolution of Government in the Yukon Territory. The Territory today is in very deep trouble. Possibly the most serious ever in its history. The people constantly cry out for reforms, but those cries are met only with apparent defiance and arrogance and to a large degree, seeming indifference. The public looks and have looked in the past to this Legislative Body for redress of their grievances, and resolution of their problems, and this Council is morally and constitutionally bound to accede to these demands of Yukon citizens. It is my hope that a newly constituted Council, by the virtue of a new election, and a sympathetic House of Commons, it is my hope that they will begin the ominous task of restoring and creating policies designed and created in the interest of self-determination and democratic institutions for the Yukon. Consider, Mr. Speaker, for instance, across our great nation, children and adults alike, daily in some cases, sing with great pride our national anthem, which contains the words - the true North, strong and free. What hypocrisy. What a national shame, Mr. Speaker. The true North remains today oppressed - it is neither strong or free. It is oppressed by an Ottawa-controlled civil service which has become stronger than Parliament itself. And its citizens exist in a society which bears no resemblance whatsoever to our provincial neighbors to the South. I restate, as I did in the House, a quotation which aptly fits this unfortunate situation. A quotation by Senator Sam Ervine, who is much in the public these days in the Watergate Affair in the South. And he states "The History of Mankind shows Governments have an insatiable thirst for power. This desire for power will carry them to tyranny unless it is prevented." And I think all Members will give some thought to that little statement, and how it may apply here in the Yukon. The time, Mr. Speaker, for change is at hand. We must develop here in the Yukon a Government that is responsible to and answerable to the people of the Territory. We must let Parliament know that we are not disinterested in autonomy for our people. We must let Parliament know that we desire a transition, carefully programmed and implemented from the Crown Colony status in which we now exist, to eventual self-determination and hence to province-hood, possibly over a span of say, over twelve years. And we must ask Parliament to immediately amend the Yukon Act to reflect these objectives. Today we have no Government of the Yukon Territory, as such. We have an administration of the Federal Government administering to the people of the Territory. It exists in name only and has no real basis in law other than that of an administration and of course the person who leads that administration is the Commissioner. As I remind all Members of the words spoken on the subject in the judicial decision in the Northwest Territories, or by a judge of the Northwest Territory, Justice Siphens, he states that the Yukon is still a Crown Colony. The legislation and administration are

controlled by the Dominion Government. There is no Legislative Assembly. The Executive Body and the Legislative Body are one and the same. The Council is to aid and advise the Commissioner, it is not a Legislative Assembly and it is not responsible to any Legislative Assembly. I know of no Government of the Yukon Territory distinct from the Commissioner or the Commissioner-in-Council, and the home government of the colony is the Government of Canada. And that, Mr. Speaker, decision still stands. I think I would draw all Members' attention to the decisions made by the Joint Senate and House of Commons Committee on the Constitution of Canada a short number of years ago. And they have recognized that the fact that there is not responsible government in the Territory. And it is also interesting to note, Mr. Speaker, that the United Nations, in its International Covenant on Civil and Political Rights, Article I, Section 3: The State parties to the present covenant, including those having responsibility for the administration of non-self-governing and trust territories (of which we are) shall promote the realization of the right of self-determination and shall respect that right in conformity with the provisions of the Charter of the United Nations. Canada is a signatory, Mr. Speaker, to that declaration. The Standing Committee on Indian Affairs and Northern Development have more recently, in May of this year, proposed a resolution to the Parliament of Canada, which is now to be presented them for the consideration of respecting Resolution No. 40 of the Council of the Yukon Territory of the year 1966 asking for responsible Government and suggesting the possible course upon which to steer in order to achieve these objectives. How much longer can we wait? Here in the Yukon the situation grows worse day by day, month by month, that the Administration attempts to cope with self-inflicted emergencies in deference to stable and responsible policies. An Administration subservient to Ottawa, which has for the past three years exercised a majority control over this Legislature and its officers, and by that absolute control, have effected passage of unpopular and to many, unreasonable legislation, over the protests of the people and their elected representatives, who appear to be, for the present at least, in a very minority position at all levels of Government. Having achieved this goal, they have in turn taken into the courts elected representatives, Territorial and Municipal, who for one reason or another have opposed the Administration's policy. They have in fact combined the judicial system and their own taxibility in an effort to muzzle the protests of the people of the Yukon. They have, by oppressive legislation, stripped the municipalities of any real power in the conduct of their own affairs. And interfered with the administration of at least one municipality to the extent that we find today here in Whitehorse. What a tragic course of events. We must give the municipalities to the people of the municipalities, Mr. Speaker. We must give the Administration of the Yukon Territory to the people of the Yukon Territory, in keeping with democratic process. And finally, Mr. Speaker, we must give to the people of the Yukon the unfettered control of the Yukon and the inalienable right to self-determination consistent with the provinces of the Dominion of Canada. I thank you Mr. Speaker.

Mrs. Watson: Mr. Speaker, I have a few words I would like to say, but I would like to be excused, I have to get some oratory. I don't have it here.

Mr. Speaker: We will now have a short recess.

RECESS

Page
Tuesday, July 31, 1973

Mr. Speaker: I'll call Council to order. The Honourable Member for Whitehorse East.

Mr. Chamberlist: Mr. Speaker, my reply to the Opening Address of the Commissioner will be very brief. Mr. Speaker, I would like to say how pleased I am that the House passed unanimously the Workmen's Compensation Ordinance which is a very good piece of legislation for the people of the Yukon. I am quite pleased indeed, Mr. Speaker, that we also have made clear that the date for the Whitehorse City election has been set. I hope that as a result of the new election further understanding will come between the elected people of the Yukon Territory and the elected people of the municipality and I hope that all people of the Yukon will gradually settle down to looking after the affairs of business of the Territory. Thank you, Mr. Speaker.

Mr. Speaker: Mr. Commissioner, Council of the Yukon Territory have at its present sitting thereof, passed a number of Bills to which in the name and on behalf of the said Council, I respectfully request your assent.

Madam Clerk: Bill No. 35, Workmen's Compensation Ordinance; Bill No. 36, Workmen's Compensation Supplementary Benefits Ordinance; Bill No. 37, Third Appropriation Ordinance, 1973/74.

BILLS #35, 36 & 37 ASSENTED TO

Mr. Commissioner: Mr. Speaker and Members of Council, I am pleased to give assent to the Bills there were enumerated by the Clerk. Mr. Speaker, it is not very often that we have two Special Sessions of Council within such a short span of time, but Honourable Members recognize the importance of having time to examine the Workmen's Compensation package that was presented to them at Dawson and at this time it seems fit to concur with passage and it is now up to the Administrative line of Government to give effect to these wishes. Questions were asked when this would be done, all I can assure Honourable Members is that now we have legislative authority to proceed, the implementation will be proceeded with just as promptly as possible. I would remind Honourable Members that there are still quite a lot of festivities and activities that are going on in connection with the 75th Anniversary of the Yukon Territory, I trust and certainly hope that each and everyone of them when the opportunity presents itself will be able to take a part in these activities, there will also be, no doubt an opportunity for many of the senior members of the Federal Government both political and civil servants to be in the Territory in the course of the next month or so. I also hope that Honourable Members will have opportunity amply afforded to them to speak with these people in connection with those matters of urgency which always seem to be foremost in our minds at least when we are around this Table. Mr. Speaker, I would wish each and every Member a pleasant summer for the balance of it that is left and as little good weather that we have had, Mr. Speaker, I'm sure we will be blessed with a little more before the frost sets in. Next Session of Council, I am not prepared to predict, but as I answered a question today every Member will be given amply notice of it, so that he or she can prepare accordingly. Thank you, Mr. Speaker.

Mr. Speaker: We wish to thank the Commissioner for his reply. As this concludes all the business that we have before the House, Madam Clerk.

Madam Clerk: It is the Commissioner's will and pleasure that this Council be now prorogued and this Council is accordingly prorogued.

PROROGUED

1973 (THIRD SESSION)

SESSIONAL PAPER NO. 1

Mr. Speaker
Members of Council

Whitehorse Indian Village Relocation Committee

In view of Councillor Tanner's resignation from the Whitehorse Indian Village Relocation Committee, it would be appreciated if Council would advise me of their representative to this Committee to replace Councillor Tanner.



J. Smith
Commissioner

1973 (THIRD SESSION)

SESSIONAL PAPER NO. 2

Mr. Speaker
Members of Council

Whitehorse Hospital Advisory Board

In view of Councillor Tanner's resignation from the Whitehorse Hospital Advisory Board, it would be appreciated if Council would advise me of their representative to this Committee to replace Councillor Tanner.



J. Smith
Commissioner

July 20th, 1973.

1973 (THIRD SESSION)

SESSIONAL PAPER NO. 3

Mr. Speaker,
Members of Council

Name for New Junior Secondary School

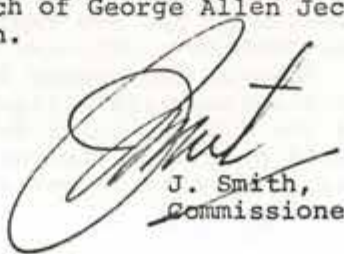
The Government of the Yukon Territory has completed the construction of a school in the Riverdale area of Whitehorse to provide instruction for students of the Whitehorse area in Grades 8 and 9. The building has received its final inspection by the Engineering Department, the landscaping has been completed, the principal and staff have been hired, and the equipment and supplies have been ordered and shall be in the school for classes beginning in September of 1973.

It has been the policy in the past that Yukon Territorial Schools be named after Yukon residents who contributed to the development of the Yukon. I would request that the Territorial Council give consideration and approval to naming the Junior Secondary School in Whitehorse after George Allen Jeckell who served the Yukon for 43 years, originally as a teacher in the school at Dawson City and then as the chief administrative executive who very capably provided the leadership for the Government of the Yukon Territory during the trying years when the Alaska Highway was being built across the Yukon.

The naming of the Junior Secondary School after Mr. Jeckell would serve two purposes: it would honour a gentleman who served the Yukon well and it would also accept the suggestion made by Miss Victoria Faulkner that Mr. Jeckell's name be considered. Miss Faulkner undoubtedly is the best oral history source regarding the evolution of the Territorial Government and the life of its administrators. She had hoped that the school at Dawson would have been named after Mr. Jeckell. Now she has expressed her wish that this educational institution be named after Mr. Jeckell, the former educator and administrator in the Yukon Territory.

A biographical sketch of George Allen Jeckell is attached for your information.

Attachment.



J. Smith,
Commissioner.

BIOGRAPHICAL SKETCH OF GEORGE ALLEN JECKELL

George Allen Jeckell was born on July 25th, 1880 in rural Huron County, Ontario. He matriculated from the University of Toronto with honours in Classics, English and Mathematics. He might conceivably have been awarded a bachelors degree from Toronto before he commenced his teacher training in Ontario. He moved west and attended Normal School in Regina circa 1900 where he received a Second Class Teaching Certificate.

Jeckell was the principal of a school in Cardston, Alberta, for two years before he became the fifth and sixth grade teacher at the Dawson Public School in 1902 as the replacement for J. T. Patton who was transferred to the Bear Creek School. Jeckell arrived in Dawson in rather an auspicious manner on November 12th, 1902, via the first overland stage from Whitehorse. Mr. Ross, Superintendent of Schools in the Yukon from 1902 to 1906, in his May 27th, 1903, annual report to the Commissioner submitted a favourable assessment of Jeckell's competence and ability as a teacher:

"The teacher.....is a good disciplinarian and is accurate in his teaching and painstaking in his explanations. His work is well prepared and the order in the room is good and maintained without friction and I consider that the work in Arithmetic, Composition and Literature is eminently satisfactory."

Jeckell pursued his career as a dedicated teacher at the Dawson Public School until August, 1913, when he was appointed Comptroller with the Federal Department of the Interior. He proved to be an excellent choice for he was an efficient administrator with a seemingly unlimited capacity for work. In 1914 he assumed additional responsibilities as the Department of Public Works agent in charge of all public building in the Territory. His work load was increased again on October 1st, 1918, when he was appointed Inspector of Income Tax, a function he retained until his retirement in 1946. He received a further promotion on July 1st, 1926, when he succeeded J.A.M.H. Maltby as Territorial Treasurer and Secretary and thus de facto Treasurer of Dawson City.

The trend of government retrenchment continued following the retirement of G. I. MacLean as Gold Commissioner in 1932 when the two positions of Comptroller and Gold Commissioner were combined under the title of Comptroller. By an Order-in-Council dated June 30th, 1932, "all the power and duties formerly vested in the Commissioner and Gold Commissioner under the Yukon Act.....were transferred and vested in G. A. Jeckell as Comptroller". At the same time F. H. Osborn, formerly Assistant Territorial Treasurer became Territorial Treasurer and Secretary, the position vacated by Jeckell. On December 1st, 1936, with the creation of the new Federal Department of Mines and Resources Jeckell's official title was changed to Controller. However the change was only a matter of semantics as his responsibilities remained the same. He continued as the Yukon's Chief Executive until his retirement from public service on July 25th, 1946, his 66th birthday. Although he was eligible for retirement

1. 1918 was also the year when the positions of Commissioner and Gold Commissioner were amalgamated under one title "Gold Commissioner".

in July of 1945, he was persuaded to stay on another year at the request of the government. When asked about his future plans he is quoted in the Dawson News as saying "Both Mrs. Jeckell and myself have loved and admired the Yukon. We have had our happiness here and see no reason why we should go elsewhere....My job has been no sinecure. I believe I have earned a rest and I shall certainly enjoy it." His pro tem successor in office was John E. Gibben, formerly Stipendiary Magistrate for Dawson.

Jeckell married Frances Alberta Watts on July 12th, 1903, in Seattle, Washington. They had three sons, who all attended school in Dawson and later went on to the University of Toronto. The only surviving son, Frank Lee Jeckell, the youngest, was born in Dawson on November 6th, 1909. For many years he was general manager of the Dominion Brewer's Association and now resides in Honolulu, Hawaii.

June 19th, 1947, is the recorded date of Jeckell's remarriage. His second wife, Anna Theresa Boyle was the widow of Charles Boyle, a brother of Joseph Whiteside Boyle, a renowned Yukon mining entrepreneur. In mid July, 1949, Mr. and Mrs. Jeckell left the Yukon to visit relatives back east where they spent the winter of 1949-50 with Mrs. Jeckell's son, Ralph Morgan in Sharon, Pennsylvania. They were visiting friends in Seattle enroute to the Yukon when Mr. Jeckell suddenly died of a heart attack on May 30th, 1950. Scores of former Yukoners attended his funeral in Vancouver on June 2nd, 1950, to pay tribute to a man who "during his long tenure of office as Yukon's chief executive played a prominent and vital role in guiding the destinies of the Territory".

Throughout his life Mr. Jeckell participated fully in the community life of Dawson. He was an active and energetic man with a deep sense of commitment for the well being and advancement of the Yukon. With an interest in sports and the outdoor life, he had long been a member of the Dawson Curling Club and could often be found fishing or hunting along Rock Creek about twelve miles outside Dawson. He had an honorary membership in the Dawson Lodge No. 1 of the Y.O.O.P. He was also a member of fraternal organizations such as Dawson Chapter No. 45 A.F. and A.M. Lodge, the Shrine and Dawson Aerie No. 50 F.O.E.

Perhaps his most enduring accolade was when he was awarded the O.B.E. on July 1st, 1946 in recognition of his services to the Yukon.

It was during his administration that one of the highwater marks of Yukon history and development occurred, namely the construction of the Alaska Highway and Canol Project. Second only to the Klondike Gold Rush in historical significance, it irrevocably changed the past and helped shape the future of the Yukon and its people.

* * * * *

SESSIONAL PAPER NO. 4 (1973 SECOND SESSION)

Mr. Speaker
Members of Council

Expense Accounts, Elected Members of Executive Committee

On Friday, June 15, 1973, the following Motion for the Production of Papers, moved by Councillor McKinnon and seconded by Councillor Taylor was carried:

"That a copy of the expense accounts of the elected members of the Executive Committee, since the Executive Committee was instituted, be provided to all Members of Council."

This information has now been compiled and is tabled herewith for the information of Council.



J. Smith
Commissioner

GOVERNMENT OF THE YUKON TERRITORY
TRAVEL AUTHORIZATION AND CLAIM

N S. Chamberlist Executive Committee
(Claimant) (Department) (Address where cheques to be sent)
 is to proceed from Whitehorse to Dawson City on 13th June
 for a period of 6 days for the purpose of Territorial Council Session.
 This journey is to be carried out by plane - (mode of transportation) under the
 authority of _____
(Quote regulation or special authority)

Travel advance in the amount of \$ _____ is approved,
 for which cheque requisition is attached. SIGNED: [Signature]
(Department Head or Authority)

Certified funds available: [Signature]
(Territorial Treasurer)

PARTICULARS OF TRANSPORT WARRANTS AND TRAVEL ADVANCES ISSUED

Date	T.W. or Cheque #	Particulars	Amount	Vote	Pri	Est	Other	Posted

ITINERARY AND DISBURSEMENTS

Date	Details <small>(places expenses incurred)</small>	Tier 1rr./Dep.	Vr. F.	Amount
13/6/73	Six days expenses at \$25.00 per day			\$150.00

I hereby certify that all disbursements claimed were properly incurred by me in the public service:
[Signature]
(Claimant)
 Recommended for payment: _____
(Department Head or Authority)

Total Disbursements _____
 Less: Advances _____
 Balance due Claimant/Dept. 150.00

Issued _____
 Received by _____ Cheque/Receipt No. _____
 Audited and passed for payment [Signature]
(Territorial Treasurer)

	Vote	Pri	Est	Other	Amount	Posted
Dr./Cr.	01	120	30		150.00	20/6/73 mcy
Dr./Cr.						
Dr./Cr.						

**GOVERNMENT OF THE YUKON TERRITORY
TRAVEL AUTHORIZATION AND CLAIM**

N.S. CHAMBERLIST Executive Committee
 (Claimant) (Department) (Address where cheques to be sent)
 is to proceed from Whitehorse to Watson Lake on May 29/73
 for a period of 3 days for the purpose of Dept. Heads Meeting.
 This journey is to be carried out by air - (mode of transportation) under the
 authority of _____
 (Quote regulation or special authority)

Travel advance in the amount of \$ _____ is approved,
 for which cheque requisition is attached. SIGNED: _____
 (Department Head or Authority)

Certified funds available: _____
 (Territorial Treasurer)

PARTICULARS OF TRANSPORT WARRANTS AND TRAVEL ADVANCES ISSUED

Date	T.W. or Cheque #	Particulars	Amount	Vote	Pri	Est	Other	Postvt

ITINERARY AND DISBURSEMENTS

Date	Details (places expenses incurred)	Tier Arr/Dep	Vr. #	Amount
29 May 73	Dinner and incidentals			9.50
	Hotel			12.00
30 May	Meals & incidentals			15.00
	Hotel			12.00
31 May	Meals & incidentals			15.00
	Hotel			12.00
1 June	Breakfast, lunch & incidentals			8.50

I hereby certify that all disbursements claimed were properly incurred by me in the public service:

 (Claimant)
 Recommended for payment: _____
 (Department Head or Authority)

Total Disbursements 84.00
 Less: Advances _____
 Balance due Claimant/Goec. _____

Issued _____
 Received by _____
 Added and paid for payment _____
 (Territorial Treasurer)

GOVERNMENT OF THE YUKON TERRITORY
TRAVEL AUTHORIZATION AND CLAIM

1. N.S. Chamberlist is to proceed from Whitehorse to Mile 134 Haines Road
on May 16th for a period of 3 days for the purpose of
attending Department and Branch Heads meeting.

This journey is to be carried out by _____ under the authority
(Air, Rail, P.M.C., Govt. Transport, etc)

of _____
(Quote regulation or special authority)

Travel advance in the amount of \$ _____ is
approved, for which Cheque Requisition is attached.

Signed [Signature]
Department Head or Authority
[Signature]
Department

Certified funds available:

[Signature]
Territorial Treasurer

2. PARTICULARS OF TRANSPORT WARRANTS ISSUED

Date	T.W. No.	Particulars	Amount	Vote	Pri	Est	Posted

3. TRAVEL ADVANCES

Date	Cheque No.	Amount	G.R. or J.V. No.	Amount	Posted

4. ITINERARY AND DISBURSEMENTS

	Place	Hour and Date	Particulars	Amount
Dep	Whitehorse	1 p.m. 16 May	Hotel	}
Arr		17 May	Hotel	
Dep			Meals	-25.60
Arr			Tip	-2.80
Dep				
Arr	Whitehorse	1 p.m. 15 May	Dinner and incidental expense	6.50
Dep		17 May	Composite allowance	12.00
Arr		18	Meals & incidental expense	11.00
Dep			Hotels	21.60
Arr				
Dep				
Arr				
Dep				

I hereby certify that all disbursements claimed were properly incurred by me in the public service:

[Signature]
Claimant

Total Disbursements 51.10

Less: Advances

Balance due Claimant/Govt. 51.10

Recommended for payment:

[Signature]
Department Head or Authority

Issued

Received by _____ Cheque/Receipt No. _____

Audited and passed for payment _____

Territorial Treasurer

Dr./Cr.	Vote	Pri	Est	Posted
	1	31	120	51.10

GOVERNMENT OF THE YUKON TERRITORY
TRAVEL AUTHORIZATION AND CLAIM

1. N.S. Chamberlist is to proceed from Whitehorse to Dawson, Faro, Mayo
on 30 May 1972 for a period of 2 days for the purpose of
inspection of Northern Health facilities

This journey is to be carried out by air and car under the authority
(Air, Rail, PNC, Govt. Transport, etc)

of _____
(Quote regulation or special authority)

Travel advance in the amount of \$ _____ is approved, for which Cheque Requisition is attached.

Signed [Signature]
Department Head or Authority

Certified funds available:
[Signature]
Territorial Treasurer

Department

2. PARTICULARS OF TRANSPORT WARRANTS ISSUED

Date	T.W. No.	Particulars	Amount	Vote	Pri	Est	Posted

3. TRAVEL ADVANCES

Date	Cheque No.	Amount	G.R. or J.V. No.	Amount	Posted

4. ITINERARY AND DISBURSEMENTS

	Place	Hour and Date	Particulars	Amount
Dep	Whitehorse	7.45am 30 May 72	Meals	12.00 ✓
Arr	Mayo		Hotel	12.00 ✓
Dep		31 May 72	Meals	12.00 ✓
Arr	Whitehorse	8.15pm 31 May 72		
Dep			Entertainment expenses	14.00 ✓
Arr				
Dep				
Arr				
Dep				
Arr				
Dep				
Arr				
Dep				

I hereby certify that all disbursements claimed were properly incurred by me in the public service:
[Signature]
Claimant

Total Disbursements	50.00 ✓
Less: Advances	
Balance due Claimant/Cont.	50.00 ✓

Recommended for payment:
[Signature]
Department Head or Authority

Issued _____
Received by _____ Cheque/Receipt No. _____
Audited and passed for payment [Signature]
Territorial Treasurer

Dr./Cr.	Vote	Pri	Est	Posted
	1	30	120	36.00
		79	130	14.00

GOVERNMENT OF THE YUKON TERRITORY
TRAVEL AUTHORIZATION AND CLAIM

N.S. Chamberlist Executive Committee Health Welfare & Rehabilitation
(Claimant) (Department) (Address where cheques to be sent)
is to proceed from Whitehorse to Ottawa on 23 April 73
for a period of 6 days for the purpose of Attending Fed-Prov. Conf. on Welfare.
This journey is to be carried out by air - (mode of transportation) under the
authority of _____
(Quote regulation or special authority)

Travel advance in the amount of \$ 250.00 is approved,
for which cheque requisition is attached. SIGNED: _____
(Department Head or Authority)
Certified funds available: Williamson
(Territorial Treasurer)

PARTICULARS OF TRANSPORT WARRANTS AND TRAVEL ADVANCES ISSUED

Date	T.W. or Cheque #	Particulars	Account	Vote	Fri	Est	Other	Posted
18 Apr 73	A4118							
19/4/73	165912		250.00					

ITINERARY AND DISBURSEMENTS

Date	Details (places expenses incurred)	Time Arr/Dep	Vr. #	Amount
Apr 23/73	Taxi Vancouver airport to hotel			6.50
	Dinner & incidentals			9.50
	Hotel		1	17.85
24	Taxi - Hotel to Airport			6.50
	" Ottawa airport to hotel			5.00
	Hotel (\$22.05) Meals (\$15.00)		2	37.05
25	Hotel " Meals "		2	37.05
26	Hotel " Meals "		2	37.05
27	Taxi to airport			5.00
	Taxi Vancouver Airport to Hotel			6.50
	Hotel (\$17.85) Meals (\$15.00)		3	32.85
28	Hotel " Meals "		3	32.85
29	Breakfast & incidentals			5.50
	Taxi Hotel to airport			6.50
	Local taxi in Ottawa			8.50

I hereby certify that all disbursements claimed were properly incurred by me in the public service:

Total Disbursements	326.58
Less: Advances	250.00
Balance due Claimant/OWXX	76.58.

Recommended for payment: _____
(Department Head or Authority)
Issued Received by _____ Cheque/Receipt No. _____
Audited and passed for payment: _____
(Territorial Treasurer)

	Vote	Fri	E.A.	Other	Amount	Posted
Dr./Cr.	101	102	103		236.58	18/12/73
Dr./Cr.					250.00	
Dr./Cr.					76.58	

N.S. CHAMBERLIST

		b/f	\$254.20
April/73	Telephone calls & telegram		20.38
	Entertainment of Provincial officials		<u>52.00</u>
			<u>\$326.58</u>

GOVERNMENT OF THE YUKON TERRITORY
TRAVEL AUTHORIZATION AND CLAIM

N.S. Chamberlist Health Welfare & Rehabilitation
(Claimant) (Department) (Address where cheques to be sent)

is to proceed from Whitehorse to Ottawa on 29 Mar 73
for a period of 6 days for the purpose of meeting with Health & Welfare officials.
This journey is to be carried out by air - (mode of transportation) under the
authority of _____
(Quote regulation or special authority)

Travel advance in the amount of \$ _____ is approved,
for which cheque requisition is attached. SIGNED: _____
(Department Head or Authority)

Certified funds available: A. I. Veitch
(Territorial Treasurer)

PARTICULARS OF TRANSPORT WARRANTS AND TRAVEL ADVANCES ISSUED

Date	T.N. or Cheque #	Particulars	Amount	Vote	Pri	Est	Other	Posted
	A4040							

ITINERARY AND DISBURSEMENTS

Date	Details (places expenses incurred)	Time Acc/Dep	Vr. #	Amount
29 March	to Edmonton - dinner & incidentals			6.50
30 March	Taxi Ottawa airport to hotel			4.75
	Hotel			22.05
	Meals & incidentals			12.00
31 March	Hotel			22.05
	Meals & incidentals			12.00
1 April	Hotel			22.05
	Meals & incidentals			15.00
2 April	Hotel			22.05
	Meals & incidentals			15.00
3 April	Taxi hotel to airport			4.75
	Taxi Edmonton airport to hotel			2.50
	Hotel			19.00
	Meals & incidentals			15.00
4 April	Breakfast & incidentals			4.50

I hereby certify that all disbursements claimed were properly incurred by me in the public service:

Total Disbursements

Less: Advances

Balance due Claimant/Govt.

199.20
25.50
224.70
224.70

N.S. Chamberlist
(Claimant)
Recommended for payment:
A. I. Veitch
(Department Head or Authority)

Issued Received by _____ Cheque/Receipt No.

Audited and passed for payment _____
(Territorial Treasurer)

	Vote	Pri	Est	Other	Amount	Posted
Dr./Cr.	01	120	30		224.70	12/4/73 m
Dr./Cr.						
Dr./Cr.						

**GOVERNMENT OF THE YUKON TERRITORY
TRAVEL AUTHORIZATION AND CLAIM**

N.S. Chamberlist Executive Committee
(Claimant) (Department) (Address where cheques to be sent)
is to proceed from Whitehorse to Vancouver on 8 Mar 73
for a period of 3 days for the purpose of visiting CU & C re Y.H.C.I. Plan.
This journey is to be carried out by air - (mode of transportation) under the
authority of _____
(Quote regulation or special authority)

Travel advance in the amount of \$ _____ is approved
for which cheque requisition is attached. SIGNED: _____
(Department Head or Authority)
Certified funds available: A. Whittier
(Territorial Treasurer)

PARTICULARS OF TRANSPORT WARRANTS AND TRAVEL ADVANCES ISSUED

Date	T.W. or Cheque #	Particulars	Amount	Vote	Pri	Est	Other	Posted
March 7/73	A3950							

ITINERARY AND DISBURSEMENTS

Date	Details (places expenses incurred)	Time Arr/Dep	Vr. #	Amount
8 March	Taxi Vancouver airport to Hotel			5.50
	Hotel & dinner			18.15 ✓
9 March	Taxi to CU & C and return			3.00 ✓
	Hotel & meals			25.65 ✓
10 March	Hotel & meals			25.65
	Taxi to airport			5.50
	Lunch for CU & C officials			7.50
	L.D. call			4.75
1972-73				

I hereby certify that all disbursements claimed were properly incurred by me in the public service:
N.S. Chamberlist
(Claimant)
Recommended for payment: _____
(Department Head or Authority)

Total Disbursements 95.70
Less: Advances _____
Balance due Claimant/Govt. 95.70

Issued _____
Received by _____ Cheque/Receipt No. _____
Audited and passed for payment: _____
(Territorial Treasurer)

	Vote	Pri	Est	Other	Amount	Posted
Dr./Cr.	01	120	30		95.70	21/3/73 mg
Dr./Cr.						
Dr./Cr.						

**GOVERNMENT OF THE YUKON TERRITORY
TRAVEL AUTHORIZATION AND CLAIM**

N.S. CHAMBERLIST Executive Committee
(Claimant) (Department) (Address where cheques to be sent)

is to proceed from Whitehorse to Ottawa on 9 Jan 73
for a period of 7 days for the purpose of meeting with officials of Dept. Health & attending conference to discuss prevention
This journey is to be carried out by air - (mode of transportation) under the authority of _____
(write regulation or special authority)

Travel advance in the amount of \$ _____ is approved,
for which cheque requisition is attached. SIGNED: _____
(Department Head or Authority)

Certified funds available: _____
(Department Treasurer)

PARTICULARS OF TRANSPORT WARRANTS AND TRAVEL ADVANCES ISSUED

Date	T.W. or Cheque #	Particulars	Amount	Yrs.	Pr.	Est.	Other	Post. 1
8 Jan 73	A3821							

ITINERARY AND DISBURSEMENTS

Date	Details (places & expenses incurred)	Time Tr/Exp	Vo. #	Amount
9 Jan 73	Taxi Vancouver airport to hotel			6.50
	Dinner & incidentals			6.50
	Hotel		1	17.85
	Phone call		1	1.20
10 Jan	Taxi hotel to airport			6.50
	Taxi Ottawa airport to hotel			5.00
	Hotel & meals		2	34.05
	L.D. phone calls		2	5.43
11 Jan	Hotel & meals		2	34.05
	Phone call			1.62
12 Jan	Hotel & meals		2	34.05
	L.D. call		2	2.30
	Taxis in Ottawa			9.50
13 Jan	Taxi hotel to airport			5.00
	Meal & incidentals			12.00
	Miscellaneous entertainment Govt. officials			24.95

I hereby certify that all disbursements claimed were properly incurred by me in the public service: Total Disbursements C/F 205.80



Edward S. Chamberlist (Claimant) Less: Advances _____
Balance due (Claimant) _____

Recommended for payment: _____ Issued _____
(Department Head or Authority) Received by _____ Cheque/Receipt No. _____
Audited and passed for payment: _____
(Department Treasurer)

	Vote	PA Est.	PA Est.	Other	Amount	Post. 1
Dr./Cr.	11	11	11		205.80	205.80
Dr./Cr.						
Dr./Cr.						

GOVERNMENT OF THE YUKON TERRITORY
TRAVEL AUTHORIZATION AND CLAIM

(Claimant) N.B. Chamberlaine (Department) to proceed from Whitehorse (Address where cheques to be sent) to N. Australia on 22 Sept 72
 for a period of 14 days for the purpose of tour of Northern Territory.
 This journey is to be carried out by air - (mode of transportation) under the
 authority of _____
 (Quote regulation or special authority)

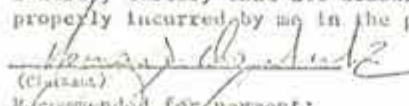
Travel advance in the amount of \$ 1000.00 is approved,
 for which cheque requisition is attached. SIGNED: 
 (Department Head or Authority)
 Commissioner
 Certified funds available: 
 (Clerical Treasurer)

PARTICULARS OF TRANSPORT WARRANTS AND TRAVEL ADVANCES ISSUED

Date	T.W. or Cheque #	Particulars	Amount	Yote	Pri	Est	Other	Posted
<u>11.09.72</u>	<u>151905</u>		<u>1000.00</u>					
<u>11.09.72</u>	<u>151905</u>	<u>1000.00</u>						

ITINERARY AND DISBURSEMENTS

Date	Details (places expenses incurred)	Time hr/lep	Ye. #	Amount
<u>30 Sep 72</u>	<u>Taxi to Whitehorse airport</u>			<u>3.25</u>
	<u>Dinner & incidentals Edmonton</u>			<u>6.50</u>
<u>21 Sep</u>	<u>Ottawa - taxi to hotel</u>			<u>5.50</u>
	<u>Hotel</u>		<u>1</u>	<u>21.00</u>
	<u>Meals & incidentals</u>			<u>12.00</u>
<u>22 Sep</u>	<u>Hotel</u>		<u>1</u>	<u>21.00</u>
	<u>Meals & incidentals</u>			<u>12.00</u>
	<u>Telegram</u>		<u>1</u>	<u>3.40</u>
	<u>Taxis in Ottawa</u>			<u>4.75</u>
<u>23 Sep</u>	<u>Taxi to airport</u>			<u>5.50</u>
	<u>Taxi to downtown San Francisco</u>			<u>2.00</u>
	<u>Dinner</u>			<u>4.50</u>

I hereby certify that all disbursements claimed were properly incurred by me in the public service: c/l page 2
Total Disbursements 101.40
 Recommended for payment:  (Claimant)
 Issued Received by F. L. ... Cheque/Receipt No. 66248
 Audited and passed for payment _____ (Clerical Treasurer)
 Balance due Claimant/Govt. _____

	Yote	Pri	Est	Other	Amount	Post. #
Dr./Cr.	<u>1</u>	<u>120</u>	<u>30</u>			
Dr./Cr.						
Dr./Cr.						

J.C. 191

Tour of Australia - N.S.Chamberlist

		Vr #	
25 Sept/72	Darwin - dinner & incidentals		6.50 ✓
	Hotel	2	14.00 ✓
26 Sept	Meals		12.00 ✓
	Hotel - Gove	3	20.00 ✓
	Entertaining officials		6.35 ✓
27 Sept	Meals		12.00 ✓
	Hotel - Darwin	2	14.00 ✓
28 Sept	Meals		12.00 ✓
	Hotel - Katherine	4	14.00 ✓
	Entertaining officials	4	17.35 ✓
29 Sept	Meals		12.00 ✓
	Hotel - Katherine	4	14.00 ✓
30 Sept	Meals		12.00 ✓
	Hotel - Alice Springs	5	10.00 ✓
2 Oct	Meals		12.00 ✓
	Hotel - Alice Springs	6	11.50 ✓
	Lunch for officials	6	49.75 ✓
	Dry cleaning	6	6.60 ✓
	Long distance call	6	5.38 ✓
1 Oct	Meals		12.00 ✓
	Hotel - Alice Springs	6	11.50 ✓
	Entertaining officials		9.40 ✓
3 Oct	Meals		12.00 ✓
	Hotel - Darwin		12.50 ✓
	Miscellaneous incidental expenses re gifts, laundry, gratuities etc.		100.00 ✓
	Dinner for guests in Darwin		26.00 ✓
	Dinner for guests in Gove		14.00 ✓
	Luncheon for Australian Govt.officials		94.35 ✓
	Gratuity re above		10.00 ✓
	Beverages & wine		33.50 ✓
	Conversion to Canadian dollars		119.04 ✓
			<u>\$715.72</u>
9 Oct	Taxi from Vancouver airport to hotel		6.00 ✓
	Hotel		17.85 ✓
10 Oct	Breakfast		2.00 ✓
	Taxi to airport		6.00 ✓
	Exchange on purchase of Australian traveller's cheques	7	8.00 ✓
	b/f from page 1		101.40 ✓
	Australian trip		\$141.25 ✓
			715.72 ✓
	Less advance		\$856.97 ✓
			1000.00 ✓
	Balance due to G. Chamberlist		<u>\$ 143.94</u>

*Declined with
S. Chamberlist in field
and OK'd.*

GOVERNMENT OF THE YUKON TERRITORY
TRAVEL AUTHORIZATION AND CLAIM

Norman S. Chamberlist (Claimant) (Department) (Address where cheques to be sent)
is to proceed from Whitehorse to Faro on 1 Nov 72
 for a period of 3 1/2 days for the purpose of Dept. Heads Meeting.
 This journey is to be carried out by _____ - (mode of transportation) under the
 authority of _____
 (Quote regulation or special authority)

Travel advance in the amount of \$ _____ is approved,
 for which cheque requisition is attached. SIGNED: _____
 (Competent Head of Authority)

Certified funds available: _____
 (Territorial Treasurer)

PARTICULARS OF TRANSPORT WARRANTS AND TRAVEL ADVANCES ISSUED

Date	T.W. or Cheque #	Particulars	Amount	Vote	Fri	Est	Other	Posted

ITINERARY AND DISBURSEMENTS

Date	Details (places expenses incurred)	Tax Arr/Exp	Vr. F	Amount
1 Nov 72	Dinner and incidentals			6.50 ✓
	Hotel			16.00 ✓
2 Nov	Meals and incidentals			12.00 ✓
	Hotel			16.00 ✓
1 Nov	Meals and incidentals			12.00 ✓
	Hotel			16.00 ✓
1 Nov	Breakfast and incidentals			4.00 ✓

I hereby certify that all disbursements claimed were properly incurred by me in the public service: Total Disbursements 82.50
 Less: Advances _____
 Balance due Claimant/Govt. 82.50
 Recommended for payment: _____ Issued _____
 Received by _____ Cheque/Receipt No. _____
 Audited and passed for payment _____
 (Territorial Treasurer)

	Vote	Fri	Est	Other	Amount	Posted
Dr./Cr.	01	30	130		168.50	2100.00
Dr./Cr.						
Dr./Cr.						

**GOVERNMENT OF THE YUKON TERRITORY
TRAVEL AUTHORIZATION AND CLAIM**

Norman S. Chamberlist Health, Welfare, Rehabilitation Room 310, Federal Bldg.
(Claimant) (Department) (Address where cheques to be sent)
 is to proceed from Whitehorse to various locations on July 30/72
 for a period of 17 (days) for the purpose of Ex-Comm direction re Legal Aid.
 This journey is to be carried out by air - (mode of transportation) under the
 authority of Executive Committee.
(Quote regulation or special authority)

Travel advance in the amount of \$ 500.00 is approved,
 for which cheque requisition is attached.

SIGNED: [Signature]

(Department Head or Authority)

Certified funds available: [Signature]
(Territorial Treasurer)

PARTICULARS OF TRANSPORT WARRANTS AND TRAVEL ADVANCES ISSUED

Date	T.W. or Cheque #	Particulars	Amount	Vote	Pri	Est	Other	Posted
July 28/72	B145982		\$500.00					
July 28/72	A3198	Whitehorse-Variou Locations						

ITINERARY AND DISBURSEMENTS

Date	Details <small>(places expenses incurred)</small>	Time Arr/Dep	Vr. #	Amount
30 July/72	Taxi to Whitehorse airport			3.25
	Taxi Vancouver airport to hotel			6.50
	dinner and incidentals			6.50
	Hotel		1	17.85
31 July	Meals and incidentals			12.00
	Hotel		1	17.85
	Luncheon with U.S.Embassy official			7.00
1 Aug	Taxi to Vancouver airport			6.50
	Taxi Winnipeg airport to hotel			4.00
	Meals and incidentals			12.00
	Hotel		2	17.85
	Phone calls			4.86
	Telegram			5.96
2 Aug	Taxi to Winnipeg airport			4.00
	Taxi Fredericton airport to hotel			4.50

I hereby certify that all disbursements claimed were properly incurred by me in the public service:

Total Disbursements ^{c/f} 130.62

Less: Advances

Balance due Claimant/Govt.

Recommended for payment:

(Department Head or Authority)

Issued

Received by _____ Cheque/Receipt No. _____

Audited and passed for payment _____

(Territorial Treasurer)

	Vote	Pri	Est	Other	Amount	Posted
Dr./Cr.					5,764.42	
Dr./Cr.					500.00	
Dr./Cr.					5,264.42	

7.00 p.m.

Vr # b/f 130.62

Date	Description	Vr #	b/f	Amount
2 Aug/72	Meals & incidentals			12.00
	Hotel	3		15.66
	Dinner for officials			18.00
3 Aug	Taxi hotel to Fredericton airport			4.50
	Taxi Halifax airport to downtown			5.50
	Meals & incidentals			12.00
	Taxi downtown to Halifax airport			5.50
4 Aug	Taxi London airport to hotel			11.50
	Hotel			19.00
	Meals & incidentals			12.00
5 Aug	Hotel			19.00
	Meals and incidentals			12.00
	Entertainment of guests to dinner			26.00
20 Aug	Taxi Halifax airport to hotel			5.50
	Hotel	4		23.00
	Meals and incidentals			12.00
	Phone calls			1.89
21 Aug	Taxi hotel to Halifax airport			5.50
	Taxi Montreal airport to hotel			7.00
	Hotel			20.00
	Meals and incidentals			12.00
	Phone calls			3.40
22 Aug	Taxi hotel to Montreal airport			6.50
	Taxi Winnipeg airport to Hotel			4.00
	Hotel	5		17.85
	Meals and incidentals			12.00
	Phone calls			4.75
	Dinner for officials	5		29.35
23 Aug	Taxi hotel to Winnipeg airport			4.00
	Taxi Edmonton airport to hotel			5.00
	Hotel			21.00
	Meals & incidentals			12.00
	Telegram			4.45
24 Aug	Taxi hotel to Edmonton airport			5.00
	Taxi Vancouver airport to hotel			6.50
	Hotel	6		17.25
	Meals & incidentals			12.00
	Phone calls			4.00
25 Aug	Taxi hotel to Vancouver airport			
	Phone calls			
	Breakfast, lunch & dinner			
	Taxi			

I hor
prope

(C) 1972
10/10/72

GOVERNMENT OF THE YUKON TERRITORY
TRAVEL AUTHORIZATION AND CLAIM

1. N.S. Chamberlist is to proceed from Whitehorse to Vancouver
on 23 June 1972 for a period of 2 days for the purpose of
attending Yukon Day at the Races

This journey is to be carried out by air under the authority
(Air, Rail, PNC, Govt. Transport, etc)

of _____
(Quote regulation or special authority)

Travel advance in the amount of \$ _____ is approved, for which Cheque Requisition is attached.

Certified funds available:

[Signature]
Territorial Treasurer

Signed [Signature]
Department Head or Authority
Department _____

2. PARTICULARS OF TRANSPORT WARRANTS ISSUED

Date	T.W. No.	Particulars	Amount	Vote	Pri	Est	Posted

3. TRAVEL ADVANCES

Date	Cheque No.	Amount	C.R. or J.V. No.	Amount	Posted

4. ITINERARY AND DISBURSEMENTS

	Place	Hour and Date	Particulars	Amount
Dep	Whitehorse	23 June	Air fare	166.00
Arr	Vancouver	23 June	Taxi to hotel	5.50
Dep			Dinner & Incidentals	6.50
Arr			Hotel	17.85
Dep		24 June	Meals & incidentals	12.00
Arr			Hotel	17.85
Dep	Vancouver	25 June	Taxi to airport	5.50
Arr			Breakfast & incidentals	4.00
Dep				
Arr				
Dep				
Arr				
Dep				

I hereby certify that all disbursements claimed were properly incurred by me in the public service: Total Disbursements 275.20
Less: Advances
[Signature] Claimant Balance due Claimant/Router 275.20

Recommended for payment: Issued
[Signature] Department Head or Authority Received by _____ Cheque/Receipt No. _____
Audited and passed for payment _____
Territorial Treasurer

Dr./Cr.	Vote	Pri	Est	Posted
	1	30	160	245.20
				245.20


[Handwritten notes]

**GOVERNMENT OF THE YUKON TERRITORY
TRAVEL AUTHORIZATION AND CLAIM**

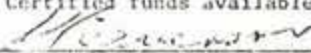
N.S. Chamberlist is to proceed from Whitehorse to Dawson, Inuvik, Faro etc
on 16 June 1972 for a period of 5 days for the purpose of
Commissioner's Tour of Territory

This journey is to be carried out by _____ under the authority
(Air, Rail, PNC, Govt. Transport, etc)
of _____
(Quote regulation or special authority)

Travel advance in the amount of \$ _____ is
approved, for which Cheque Requisition is attached.

Signed 

Department Head or Authority
Department _____

Certified funds available:


Territorial Treasurer

PARTICULARS OF TRANSPORT WARRANTS ISSUED

Date	T.U. No.	Particulars	Amount	Vote	Pri	Est	Posted

TRAVEL ADVANCES

Date	Cheque No.	Amount	G.R. or J.V. No.	Amount	Posted

ITINERARY AND DISBURSEMENTS

	Place	Hour and Date	Particulars	Amount
Dep	Whitehorse	8 am 16 June		
Arr	Dawson		Dinner and incidentals	6.50
Dep	Inuvik	17 June	Breakfast, dinner & incidentals	9.50
Arr	Faro	18 June	Break/lunch/dinner & incidentals	12.00
Dep	Watson Lake	19 June	Breakfast & incidentals	5.00
Arr	Watson Lake	20 June	Breakfast & incidentals	4.00
Dep	Whitehorse	9p.m.		
Arr				
Dep				
Arr				

I hereby certify that all amounts shown above are for my personal use and are not to be included in my income tax return.

Claimant  _____
 Date due claim _____
 37.00
 I have received the amount of _____

 Total of this claim \$ _____

CHEQUE REQUISITION

GOVERNMENT OF YUKON TERRITORY

APPLICATION IS MADE FOR THE ISSUE OF THE FOLLOWING CHEQUE (S) _____

DATE June 12, 1972 CHEQUE NUMBER _____

PAYEE Mr. N. S. Chamberlist

P.O. Box 2703, AMOUNT \$ \$59.80

Whitehorse, Yukon

DETAILS OF PAYMENT

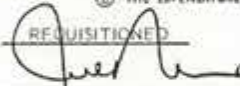
1 Attache \$49.95
1 Briefcase 17.00

Paid by chargex by Mr. N. S. Chamberlist

TO BE CHARGED TO:	VOTE	PRIMARY	EST.	AMOUNT
	1	41	120	\$59.80
TOTAL				\$59.80

CERTIFIED THAT: (a) THE EXPENDITURE REPRESENTED BY THE ABOVE CHEQUE IS IN RESPECT OF GOODS AND/OR SERVICES THAT HAVE BEEN RECEIVED AND CHARGED FOR AT A RATE WHICH IS FAIR AND REASONABLE.

(b) THE EXPENDITURE IS NECESSARY FOR THE TERRITORIAL PUBLIC SERVICE.

REQUISITIONED

HEAD OF DEPARTMENT

EXAMINED

TERRITORIAL TREASURER

APPROVED

COMMISSIONER

CHARGE X SALES DRAFT FACTURE
 4522 020 090 279
 02/72 BAC
 MR N S CHAMBERLIST

0046
 TOYNE CORBLIN LTD
 LA PROMENADE
 147 BANK ST OTT

Norman S. Chamberlist

PLEASE RETAIN THIS COPY FOR YOUR RECORDS
 V.P. VEUILLEZ CONSERVER CETTE COPIE

SERIAL NO DE SERIE	DATE	DEPT REGION	CITIZEN	TAKEN APPROVED DELIVERED
737575	Feb 28, 1972			<input checked="" type="checkbox"/>
DESCRIPTION				AMOUNT - MONTANT
1 Attache + Briefcase				56.95
AUTHORIZATION				
AUTORISATION				00598
CARDHOLDER WILL PAY TO THE BANK WHICH ISSUED THE CHARGE CARD PRESENTED HERWITH THE AMOUNT SHOWN ABOVE IN ACCORDANCE WITH THE BANK'S AGREEMENT WITH THE CARDHOLDER.				TAX 2.85
IF DÉTENTEUR DE CARTE PAIERA À LA BANQUE QUI A ÉMIS LA CARTE AU PRÉSENTÉ LE MONTANT INDiqué CI DESSUS, CONFORMÉMENT AUX CONDITIONS RÉGISSANT L'ÉMISSION DE CETTE CARTE AVEC LA BANQUE ÉMETTRICE.				TOTAL 59.80

CUSTOMER COPY
 COPIE DU CLIENT

FOR GOODS AND SHOE REPAIRS
"MAN WITH A SOLE"
 SPARKS ST. 233-2417
 160 BANK ST. 232-7886
 168 RIDEAU ST. 233-7474
 BILLINGS BRIDGE PLAZA 733-9725
 1337 WELLINGTON 729-2755



THE TOWNE CORBLIN
 Ottawa, Ont. Feb 28, 1972

1 Attache	49.95
1 Briefcase	17.00
	66.95
Less 15.90	10.00
	56.95
Tax	2.85
	59.80
Paid by Charge X	
14	<i>[Signature]</i>

One Year Guarantee on All Repairs & 6.00 and Up — Mechanical Parts Only

GOVERNMENT OF THE YUKON TERRITORY
TRAVEL AUTHORIZATION AND CLAIM

N.S. Chamberlist is to proceed from Whitehorse to Vancouver
on 10 June 1972 for a period of 2 days for the purpose of
discussions re Juvenile Training Home

This journey is to be carried out by _____ under the authority
(Air, Rail, PMC, Govt. Transport, etc)

of _____
(Quote regulation or special authority)

Travel advance in the amount of \$ _____ is
approved, for which Cheque Requisition is attached.

Signed [Signature]
Department Head or Authority

Certified funds available:
[Signature]
Territorial Treasurer

Department _____

2. PARTICULARS OF TRANSPORT WARRANTS ISSUED

Date	T.W. No.	Particulars	Amount	Vote	Pri	Est	Posted
9 Jun	A 3099						

3. TRAVEL ADVANCES

Date	Cheque No.	Amount	G.R. or J.V. No.	Amount	Posted

4. ITINERARY AND DISBURSEMENTS

	Place	Hour and Date	Particulars	Amount
Dep	Whitehorse	12.30 10 June		
Arr	Vancouver	5.30 pm 10 June	Taxi from airport to Hotel	5.50
Dep			Hotel	17.85
Arr			Dinner & incidentals	6.00
Dep		11 June	Meals and incidentals	12.00
Arr			Hotel	17.85
Dep	Vancouver	12 June	Breakfast & incidentals	4.00
Arr	Whitehorse	3.30 pm	Taxi to airport	5.50
Dep				
Arr				
Dep				
Arr				
Dep				

I hereby certify that all disbursements claimed were properly incurred by me in the public service:
 Total Disbursements 68.70
 Less: Advances _____
 Balance due Claimant 68.70

X [Signature]
Claimant

Recommended for payment:
[Signature]
Department Head or Authority

Issued _____
Received by _____ Cheque/Receipt No. _____
Audited and passed for payment _____
Territorial Treasurer

Dr./Cr.	Vote	Pri	Est	Posted
	1	30	120	68.70

GOVERNMENT OF THE YUKON TERRITORY
TRAVEL AUTHORIZATION AND CLAIM

1. N.S. Chamberlist is to proceed from Whitehorse to Ottawa
on 15 December 1971 for a period of 5 days for the purpose of
attending Fed-Prov. Conference on Health Insurance Plans
This journey is to be carried out by air under the authority
(Air, Rail, PMC, Govt. Transport, etc)
of _____
(Quote regulation or special authority)

Travel advance in the amount of \$150.00 is approved, for which Cheque Requisition is attached.

Signed: [Signature]
Department Head or Authority

Certified funds available:

[Signature]
Territorial Treasurer

Department

2. PARTICULARS OF TRANSPORT WARRANTS ISSUED

Date	T.W. No.	Particulars	Amount	Vote	Pri	Est	Posted
ec.10/71	A2709	Whitehorse /y.T. - Ottawa Ont. return					

3. TRAVEL ADVANCES

Date	Cheque No.	Amount	C.R. or J.V. No.	Amount	Posted
Dec 14/71	B129871	\$150.00			

4. ITINERARY AND DISBURSEMENTS

	Place	Hour and Date	Particulars	Amount
Dep	Whitehorse	15 Dec 1971	Taxi to airport	3.25
Arr	Vancouver	15 Dec 1971	Taxi to Hotel	5.00
Dep			Hotel and dinner	21.85
Dep Arr	Vancouver	16 Dec 1971	Taxi to airport	5.00
Arr Dep	Ottawa	16 Dec 1971	Taxi to Hotel	3.00
Arr			Hotel & Meals	29.40
Dep			Lunch - guest	4.50
Arr			Taxis in Ottawa	6.00
Dep	Ottawa	16 Dec 1971	Taxi to airport	4.00
Arr	Vancouver	17 Dec 1971	Taxi airport to Hotel	5.00
Dep		17 Dec 1971	Hotel and meals	28.35
Arr		18 Dec 1971	Hotel and meals	28.35
Dep	Vancouver	19 Dec 1971	Breakfast	2.50
			Taxi to airport	5.00
			Tips & phone calls	9.00

I hereby certify that all disbursements claimed were properly incurred by me in the public service:

[Signature]
Claimant

Total disbursements	160.20
Less: Advances	150.00
Balance due Claimant/ Govt.	10.20

Recommended for payment:

[Signature]
Department Head or Authority

Issued Received by _____ Cheque/Receipt No. _____

Audited and passed for payment [Signature]
Territorial Treasurer

Dr./Cr.	Vote	Pri	Est	Posted
	1	30	1.00	11.20

1971-72

[Handwritten notes and signatures at the bottom of the page]

GOVERNMENT OF THE YUKON TERRITORY
TRAVEL AUTHORIZATION AND CLAIM

1. N.S. Chamberlist is to proceed from Whitehorse to Ottawa
on 26 Feb 1972 for a period of 9 days for the purpose of
attending Family Planning Conference.
This journey is to be carried out by air under the authority
(Air, Rail, PNC, Govt. Transport, etc)
of _____
(Quote regulation or special authority)

Travel advance in the amount of \$ 200.00 is approved, for which Cheque Requisition is attached.

Available funds available:

A.W. [Signature]
Territorial Treasurer

Signed [Signature]
Department Head or Authority

Department _____

2. PARTICULARS OF TRANSPORT WARRANTS ISSUED

Date	T.W. No.	Particulars	Amount	Vote	Pri	Est	Posted
Feb. 21/72	A2930	Whitehorse Y.T. - Ottawa return					

3. TRAVEL ADVANCES

Date	Cheque No.	Amount	G.R. or J.V. No.	Amount	Posted
Feb. 21/72	B134475	\$200.00			

4. ITINERARY AND DISBURSEMENTS

	Place	Hour and Date	Particulars	Amount
Dep	Whitehorse	26 Feb 1972	Taxi to airport	3.25
Arr	Vancouver	26 Feb 1972	Taxi to hotel	5.50
Dep		26 Feb 1972	Hotel (\$17.85) Dinner (\$6.00)	23.85
Dep & Arr	Vancouver	27 Feb 1972	Hotel to airport - taxi	5.00
Arr & Dep	Ottawa	27 Feb 1972	Taxi airport to hotel	3.00
Arr		27 Feb 1972	Hotel (\$20.00) Meals (\$10.50)	30.50
Dep		28 Feb 1972	Hotel " Meals "	30.50
Arr		28 Feb 1972	Taxis	2.50
Dep		29 Feb 1972	Hotel " Meals "	30.50
Arr		1 Mar 1972	Hotel " Meals "	30.50
Dep		1 Mar 1972	Taxi	1.25
Arr		2 Mar 1972	Hotel " Meals "	30.50
Dep		3 Mar 1972	Meals	10.50

I hereby certify that all disbursements claimed were properly incurred by me in the public service:

Total disbursements	207.35
Less: Advances	29.70
Balance due Claimant/Account	177.65

[Signature]
Claimant

Recommended for payment:
[Signature]
Department Head or Authority

Issued _____
Received by _____ Cheque/Receipt No. _____
Audited and passed for payment _____
Territorial Treasurer

Dr. / Cr.	Vote	Pri	Est	Posted
	1	3	120	211 10

Handwritten notes and signatures at the bottom of the page.

N.S. Chamberlist

ITINERARY AND DISBURSEMENTS (contd)

			b/f	207.35
Dep. Ottawa	3 Mar 1972	Taxi to airport		5.00
Arr. Vancouver	4 Mar 1972	Taxi to hotel		5.00
	4 Mar 1972	Hotel (\$17.85) Meals (\$10.50)		28.35
	5 Mar 1972	Breakfast		2.50
	5 Mar 1972	Taxi to airport		5.00
		Meals for guests in Ottawa		16.00
		Phone calls		2.50
		Tips		8.00
				<u>279.70</u>

Wm. S. Chamberlist

GOVERNMENT OF THE YUKON TERRITORY
TRAVEL AUTHORIZATION AND CLAIM

1. N.S. Chamberlist is to proceed from Whitehorse to Mayo, Y.T.
on Monday 22 November, 1971 for a period of 2 days for the purpose of
holding public meetings re Yukon Health Care Insurance Plan
This journey is to be carried out by air under the authority
(Air, Rail, PMC, Govt. Transport, etc)
of _____
(Quote regulation or special authority)

Travel advance in the amount of \$ nil is approved, for which Cheque Requisition is attached.

Certified funds available:

[Signature]
Territorial Treasurer

Signed [Signature]
Department Head or Authority
Department

2. PARTICULARS OF TRANSPORT WARRANTS ISSUED

Date	T.W. No.	Particulars	Amount	Vote	Pri	Est	Posted
			nil				

3. TRAVEL ADVANCES

Date	Cheque No.	Amount	G.R. or J.V. No.	Amount	Posted
		nil			

4. ITINERARY AND DISBURSEMENTS

	Place	Hour and Date	Particulars	Amount
Dep	Whitehorse	9 am 22 Nov 71	lunch, dinner & incidentals	8.00
Arr	Mayo	22 Nov	accommodation	12.00
Dep	Mayo	23 Nov	breakfast & lunch	5.50
Arr	Whitehorse	23 Nov	bus fare Mayo-Whitehorse	13.90
Dep				
Arr				
Dep				
Arr				
Dep				
Arr				
Dep				
Arr				
Dep				

I hereby certify that all disbursements claimed were properly incurred by me in the public service:
[Signature] Claimant
Total Disbursements 39.40
Less: Advances 39.40
Balance due Claimant/XXXX 39.40

Recommended for payment:
[Signature]
Department Head or Authority

Issued _____
Received by _____ Cheque/Receipt No. _____
Audited and passed for payment [Signature]
Territorial Treasurer

Dr./Cr.	Vote	Pri	Est	Posted
	1	30	120	39.40

GOVERNMENT OF THE YUKON TERRITORY
TRAVEL AUTHORIZATION AND CLAIM

1. N.S. Chamberlist is to proceed from Whitehorse to Clinton Creek & Dawson on November 15, 1971 for a period of 3 days for the purpose of Public Meetings regarding Yukon Health Care Insurance Plan

This journey is to be carried out by Air under the authority (Air, Rail, PMC, Govt. Transport, etc) of _____
(Quote regulation or special authority)

Travel advance in the amount of \$ Nil is approved, for which Cheque Requisition is attached.

Certified funds available:

[Signature]
Territorial Treasurer

Signed [Signature]
Department Head or Authority

Department

2. PARTICULARS OF TRANSPORT WARRANTS ISSUED

Date	T.W. No.	Particulars	Amount	Vote	Pri	Est	Posted
Nov. 10/71	A2676	Whitehorse-Clinton Creek					
		return					

3. TRAVEL ADVANCES

Date	Cheque No.	Amount	G.R. or J.V. No.	Amount	Posted
		<u>Nil</u>			

4. ITINERARY AND DISBURSEMENTS

	Place	Hour and Date	Particulars	Amount
Dep	Whitehorse	15 Nov 71 9a.m.	Meals	10.50
Arr	Clinton Creek	15 Nov 71	Accommodation	
Dep	Clinton Creek	16 Nov 71	Meals	10.50
Arr	Dawson City	16 Nov 71	Accommodation	12.00
Dep	Dawson City	17 Nov 71	Breakfast, lunch & incidentals	5.50
Arr	Whitehorse	17 Nov 71 4.30 p.m.		
Dep				
Arr				
Dep				
Arr				
Dep				
Arr				
Dep				

I hereby certify that all disbursements claimed were properly incurred by me in the public service:

Total Disbursements 38.50

Less: Advances

Balance due Claimant/Govt. 38.50

Recommended for payment:

[Signature]
Department Head or Authority

Issued Received by _____ Cheque/Receipt No. _____

Audited and passed for payment [Signature]
Territorial Treasurer

Dr./Cr.	Vote	Pri	Est	Posted
	1	30	120	3850

GOVERNMENT OF THE YUKON TERRITORY
TRAVEL AUTHORIZATION AND CLAIM

1. N.S. Chamberlist is to proceed from Whitehorse to Teslin, Carmacks, Watson Lake, Faro on October 19, 1971 for a period of 4 days for the purpose of Public meetings regarding Yukon Health Care Insurance Plan
This journey is to be carried out by car under the authority of (Air, Rail, PMC, Govt. Transport, etc)
of _____
(Quote regulation or special authority)

Travel advance in the amount of \$ nil is approved for which Cheque Requisition is attached.

Signed _____
Department Head or Authority

Certified funds available:

[Signature]
Territorial Treasurer

Department

2. PARTICULARS OF TRANSPORT WARRANTS ISSUED

Date	T.W. No.	Particulars	Amount	Vote	Pri	Est	Posted
			Nil				

3. TRAVEL ADVANCES

Date	Cheque No.	Amount	G.R. or J.V. No.	Amount	Posted
		Nil			

4. ITINERARY AND DISBURSEMENTS

	Place	Hour and Date	Particulars	Amount
Dep	Whitehorse	4pm 19 Oct 71		
Arr	Carmacks	19 Oct 71	Dinner and accommodation	14.00
Dep	Carmacks	20 Oct	Meals and incidentals	10.50
Arr	Faro	20 Oct	Accommodation	16.00
Dep	Faro	21 Oct	Meals and incidentals	10.50
Arr	Watson Lake	21 Oct	Accommodation	10.00
Dep	Watson Lake	22 Oct	Meals and incidentals	10.50
Arr	Teslin	22 Oct		
Dep	Teslin	22 Oct		
Arr	Whitehorse	11.55 pm 22 Oct		
Dep				
Arr				
Dep				

I hereby certify that all disbursements claimed were properly incurred by me in the public service:

Total Disbursements 71.50

Less: Advances --

Balance due Claimant/CORR. 71.50

[Signature]
Claimant

Issued Received by _____ Cheque/Receipt No. _____

Recommended for payment: [Signature]

Audited and passed for payment [Signature]

Department Head or Authority

Territorial Treasurer

Dr./Cr.	Vote	Pri	Est	Posted
	1	30	150	11.50

GOVERNMENT OF THE YUKON TERRITORY
TRAVEL AUTHORIZATION AND CLAIM

1. Norman S. Chamberlist is to proceed from Whitehorse to Vancouver, B.C.
on Monday 16 August, 1971 for a period of 2 days for the purpose of
giving a speech at Rotary Club at Vancouver - arranged by Travel & Publicity
This journey is to be carried out by air under the authority
(Air, Rail, PMC, Govt. Transport, etc)
of _____
(Quote regulation or special authority)

Travel advance in the amount of \$ nil is approved, for which Cheque Requisition is attached.

Certified funds available:

C. F. W. Winkler
Territorial Treasurer

Signed [Signature]
Department Head or Authority

Department

2. PARTICULARS OF TRANSPORT WARRANTS ISSUED

Date	T.W. No.	Particulars	Amount	Vote	Pri	Est	Posted
August 16/71	A2604	Whitehorse- Vancouver, one return					

3. TRAVEL ADVANCES

Date	Cheque No.	Amount	G.R. or J.V. No.	Amount	Posted
		<u>Nil</u>			

4. ITINERARY AND DISBURSEMENTS

	Place	Hour and Date	Particulars	Amount
Dep	Whitehorse	16 Aug 1971	Taxi to airport	3.25
Arr	Vancouver	16 Aug 1971	Taxi to hotel	5.50
Dep			Dinner	4.50
Arr			Accommodation	18.00
Dep		17 Aug 1971	Breakfast & dinner	7.25
Arr			Accommodation	18.00
Dep		18 Aug 1971	Breakfast	2.25
Dep Arr	Vancouver		Taxi to airport	5.50
Arr Dep	Whitehorse		Taxi airport to downtown	3.00
Arr			Telephone and tips	2.00
Dep				
Arr				
Dep				

I hereby certify that all disbursements claimed were properly incurred by me in the public service:

Norman S. Chamberlist
Claimant

Total Disbursements 69.25

Less: Advances --

Balance due Claimant/Govt. 69.25

Recommended for payment:

[Signature]
Department Head or Authority

Issued Received by _____ Cheque/Receipt No. _____

Audited and passed for payment [Signature]
Territorial Treasurer

Dr./Cr.	Vote	Pri	Est	Posted
	1	30	130	69.25

**GOVERNMENT OF THE YUKON TERRITORY
TRAVEL AUTHORIZATION AND CLAIM**

1. Mr. N.S. Chamberlist is to proceed from Whitehorse, Y.T. to Vancouver, B.C.
on 9 October, 1971 for a period of 4 days for the purpose of
discussing Health Care Insurance Plan
This journey is to be carried out by Air under the authority
(Air, Rail, PMC, Govt. Transport, etc)
of _____
(Quote regulation or special authority)

Travel advance in the amount of \$ Nil. is approved, for which Cheque Requisition is attached.

Certified funds available:

J. F. Winchell
Territorial Treasurer

Signed _____
Department Head or Authority
Department _____

2. **PARTICULARS OF TRANSPORT WARRANTS ISSUED**

Date	T.W. No.	Particulars	Amount	Vote	Pri	Est	Posted
01/9/71	A 2675	Whitehorse - Vancouver		15			

3. **TRAVEL ADVANCES**

Date	Cheque No.	Amount	G.R. or J.V. No.	Amount	Posted
		Nil.			

4. **ITINERARY AND DISBURSEMENTS**

	Place	Hour and Date	Particulars	Amount
Dep	Whitehorse	9 Oct 1971	Taxi to airport	3.25
Arr	Vancouver	9 Oct 1971	Taxi airport to hotel	5.50
Dep			Hotel accommodation	18.00
Arr			Dinner	5.00
Dep		10 Oct 1971	Meals	10.50
Arr			Hotel accommodation	18.00
Dep		11 Oct 1971	Meals	10.50
Arr			Hotel accommodation	18.00
Dep		12 Oct 1971	Breakfast	2.50
Dep	Vancouver	12 Oct 1971	Taxi to Vancouver airport	5.50
Arr	Whitehorse	12 Oct 1971	Taxi airport to downtown	3.25
Arr			Use of taxis in Vancouver	8.75
Dep			Telephone & tips	4.00
			Misc. lunch & dinner guests	15.00

I hereby certify that all disbursements claimed were properly incurred by me in the public service:

	Total Disbursements	127.75
	Less: Advances	--
	Balance due Claimant/Govt.	127.75.

Recommended for payment:
[Signature]
Department Head or Authority

Issued _____
Received by _____ Cheque/Receipt No. _____
Audited and passed for payment _____
Territorial Treasurer

Dr./Cr.	Vote	Pri	Est	Posted
	1	2	1.20	127.75

**GOVERNMENT OF THE YUKON TERRITORY
TRAVEL AUTHORIZATION AND CLAIM**

1. Norman S. CHAMBERLIST is to proceed from Whitehorse, Y.T. to Mayo, Y. T.
on August 23rd, 1971 for a period of one days for the purpose of
Welfare housing

This journey is to be carried out by air under the authority
(Air, Rail, PMC, Govt. Transport, etc)

of _____
(Quote regulation or special authority)

Travel advance in the amount of \$ Nil. is approved, for which Cheque Requisition is attached.

Signed R. A. Hodgkinson
Department Head or Authority
Administrator
Department

Certified funds available:
J. F. Winkler
Territorial Treasurer

2. **PARTICULARS OF TRANSPORT WARRANTS ISSUED**

Date	T.W. No.	Particulars	Amount	Vote	Pri	Est	Posted
<u>Aug 20/71</u>	<u>A 2609</u>	<u>Whitehorse - Mayo Y.T. return</u>					

3. **TRAVEL ADVANCES**

Date	Cheque No.	Amount	G.R. or J.V. No.	Amount	Posted
		<u>Nil</u>			

4. **ITINERARY AND DISBURSEMENTS**

	Place	Hour and Date	Particulars	Amount
Dep	Whitehorse	23 August 71	Taxi to airport	3.25
Arr	Mayo	23 August 71	Lunch	2.50
Dep	Mayo	23 August 71	Long distance call to Whitehorse	1.55
Arr	Whitehorse	23 August 71	Taxi airport to downtown	3.25
Dep				
Arr				
Dep				
Arr				
Dep				
Arr				
Dep				
Arr				
Dep				

I hereby certify that all disbursements claimed were properly incurred by me in the public service:
Norman S. Chamberlist
Claimant

	Total Disbursements	10.55
	Less: Advances	--
	Balance due Claimant/Coax.	10.55

Recommended for payment:
[Signature]
Department Head or Authority

Issued
Received by _____ Cheque/Receipt No. _____
Audited and passed for payment [Signature]
Territorial Treasurer

Dr./Cr.	Vote	Pri	Est	Posted
	<u>1</u>	<u>24</u>	<u>120</u>	<u>10.55</u>

D1

GOVERNMENT OF THE YUKON TERRITORY
TRAVEL AUTHORIZATION AND CLAIM

11/13/71

1. Norman S. CHAMBERLIST is to proceed from Whitehorse to Watson Lake on September 2nd, 1971 for a period of 1 days for the purpose of familiarization with Department of Health, Welfare and Rehabilitation's activities in Watson Lake. This journey is to be carried out by air under the authority (Air,Rail,PMC,Govt.Transport,etc) of _____
(Quote regulation or special authority)

Travel advance in the amount of \$ NIL is approved, for which Cheque Requisition is attached.

Signed [Signature]
Department Head or Authority
Administrator
Department

Certified funds available:
[Signature]
Territorial Treasurer

2. PARTICULARS OF TRANSPORT WARRANTS ISSUED

Date	T.W. No.	Particulars	Amount	Vote	Pri	Est	Posted
Sept.1/71	A 2617	Whitehorse-Watson Lake Return					

3. TRAVEL ADVANCES

Date	Cheque No.	Amount	G.R. or J.V. No.	Amount	Posted
	-----	NIL	-----		

4. ITINERARY AND DISBURSEMENTS

	Place	Hour and Date	Particulars	Amount
Dep	Whitehorse	22 Sept 1971		
Arr	Watson Lake	22 Sept 1971	Dinner	4.00
Dep			Hotel Room - Belvedere Hotel	12.00
Arr			Breakfast	2.50
Dep	Watson Lake	23 Sept 1971		
Arr	Whitehorse	23 Sept 1971		
Dep				
Arr				
Dep				
Arr				
Dep				
Arr				
Dep				

I hereby certify that all disbursements claimed were properly incurred by me in the public service:
[Signature] Claimant
Total Disbursements 18.50
Less: Advances _____
Balance due Claimant 18.50

Recommended for payment: [Signature] Department Head or Authority
Issued Received by _____ Cheque/Receipt No. _____
Audited and passed for payment [Signature] Territorial Treasurer

Dr./Cr.	Vote	Pri	Est	Posted
	1	26	120	

GOVERNMENT OF THE YUKON TERRITORY
TRAVEL AUTHORIZATION AND CLAIM

1. N. S. Chamberlist is to proceed from Whitehorse to Victoria, Halifax, Ottawa
on April 15th, 1971 for a period of _____ days for the purpose of
attending Standing Committee of I.A.N.D. and to visit Ministers of Health and Welfare in the
four western provinces.
This journey is to be carried out by Air under the authority
(Air, Rail, PNC, Govt. Transport, etc)
of Travel Regulations, section 25.1-46 to 49.
(Quote regulation or special authority)

Travel advance in the amount of \$ Nil is approved, for which Cheque Requisition is attached.

Certified funds available:

[Signature]
Territorial Treasurer

Signed [Signature]
Department Head or Authority

Department

2. PARTICULARS OF TRANSPORT WARRANTS ISSUED

Date	T.W. No.	Particulars	Amount	Vote	Pri	Est	Posted
Apl 13/71	A2127	Whitehorse to Ottawa return	\$398.00	1	30	100	
		Victoria, Halifax, Regina, Edmonton, Vancouver	\$190.00	1	30	120	

3. TRAVEL ADVANCES

Date	Cheque No.	Amount	G.R. or J.V. No.	Amount	Posted

4. ITINERARY AND DISBURSEMENTS

	Place	Hour and Date	Particulars	Amount
Dep				
Arr				
Dep				
Arr		SEE ATTACHMENTS		892.71
Dep				
Arr				
Dep				
Arr				
Dep				
Arr				
Dep				
Arr				
Dep				

I hereby certify that all disbursements claimed were properly incurred by me in the public service:
[Signature]
Claimant

Total Disbursements 892.71
Less: Advances 500.00
Balance due Claimant/Extr. 392.71

Recommended for payment:
[Signature]
Department Head or Authority

Issued
Received by _____ Cheque/Receipt No. _____
Audited and passed for payment [Signature]
Territorial Treasurer

Dr. / Cr.	Vote	Pri	Est	Posted
	1	30	100	257.07
	1	30	120	635.64
Cv	30 - 30			392.71

Pay 392.71

Attending Standing Committee of I.A.N.D. and to visit Ministers of Health and Welfare in four Western Provinces

13 May, 1971	Breakfast	1.75
	Lunch with guests	8.40
	Dinner	4.25
	Phone	3.20
	Beaverbrook Hotel	12.50
14 May, 1971	Hotel tax	1.00
	Breakfast	2.00
	Taxi to Airport	3.25
	Tips in Fredericton	3.00
	Lunch in Montreal	2.50
	Taxi Regina Airport to hotel	3.50
	Dinner	4.25
15 May, 1971	Regina Inn Hotel	16.50
	Room tax	.83
	Breakfast	2.00
	Lunch	2.50
	Dinner with guest	13.50
16 May, 1971	Phone	1.25
	Regina Inn	16.50
	Room tax	.83
	Breakfast	2.00
	Lunch	2.50
	Dinner	5.75
	Regina Inn	16.50
17 May, 1971	Room tax	.83
	Breakfast	2.00
	Taxi hotel to Regina Airport	3.50
	Taxis in Regina	7.00
	Tips in Regina	5.00
	Limousine Edmonton Airport to hotel	2.75
	Lunch	1.75
18 May, 1971	Dinner	4.50
	MacDonald Hotel	15.00
	Phone	11.10
	Breakfast	2.25
	Lunch with guest	5.50
	Dinner with guest	12.50
	Phone	1.20
19 May, 1971	Macdonald Hotel	15.00
	Breakfast	2.25
	Limousine to airport	2.75
	Taxis in Edmonton	5.40
	Tips in Edmonton	3.00
	Lunch in Vancouver	2.25
	Dinner	5.50
20 May, 1971	Georgian Towers Hotel	19.00
	Breakfast	2.00
	Lunch	2.50
	Dinner	4.50
	Phone	2.20
21 May, 1971	Empress Hotel, Victoria	18.00
	Room tax	.90
	Breakfast	2.25
	Lunch	2.50
	Dinner and quest	11.50
22 May, 1971	Empress Hotel	18.00
	Room tax	.90
	Phone	3.10
	Breakfast	1.75
	Tips in Victoria	2.50
23 May, 1971	Lunch	2.25
	Dinner	5.00
	Georgian Towers, Vancouver	19.00
	Breakfast	2.50
	Ferry to and from Victoria	12.00
U Drive 19-23 May inclusive	78.70	
		<u>\$892.71</u>

Norman S. Chamberlist

 Norman S. Chamberlist

Attending Standing Committee of I.A.N.D. and to visit Ministers of Health and Welfare in four western Provinces

16 April 1971	Vancouver - taxi from airport	5.75
	Georgian Towers Hotel	19.00
	Dinner	4.50
17 April 1971	Georgian Towers Hotel	19.00
	Breakfast	2.50
	Lunch	2.50
	Dinner	5.50
18 April 1971	Georgian Towers Hotel	19.00
	Breakfast	2.50
	Lunch	3.00
	Dinner	5.50
19 April 1971	Breakfast	2.25
	Taxi to airport	6.00
	Telephone calls to Victoria and local	2.65
	Skyline Hotel, Ottawa	16.50
	Taxi to hotel	5.00
	Dinner	4.75
	Hotel tax	.83
20 April 1971	Breakfast	2.00
	Skyline Hotel	16.50
	Hotel tax	.83
	Lunch with guests	6.50
	Dinner with guests	19.75
21 April 1971	Breakfast	2.40
	Skyline Hotel	16.50
	Hotel tax	.83
	Lunch	1.75
	Dinner with guest	12.60
22 April 1971	Breakfast	2.00
	Skyline Hotel	16.50
	Hotel tax	.83
	Lunch with guests	7.40
	Dinner	4.50
23 April 1971	Breakfast	2.40
	Phone calls & telegram	6.80
	Taxi to Ottawa airport	5.25
	Tips in Ottawa	5.00
9 May, 1971	Taxi airport to Hotel, Halifax, N.S.	5.00
	Nova Scotia Hotel	20.00
	Phone & telex	7.05
	Dinner	6.00
10 May, 1971	Breakfast	2.25
	Lunch	3.25
	Dinner with guests	15.25
	Nova Scotia Hotel	20.00
	Phone calls	4.60
11 May, 1971	Breakfast	2.25
	Lunch with guest	6.00
	Dinner	4.50
	Nova Scotia Hotel	20.00
	Phone calls	3.20
12 May, 1971	Breakfast	2.00
	Taxi to Halifax Airport	5.00
	Taxi fares in Halifax	8.00
	Tips in Halifax	10.00
	Taxi to Hotel from Airport Fredericton, N.B.	3.25
	Lunch	2.50
	Dinner	4.25
	Phone	15.45
	Hotel Beaverbrook	12.50
	Hotel tax	1.00

**GOVERNMENT OF THE YUKON TERRITORY
TRAVEL AUTHORIZATION AND CLAIM**

1. N. S. Chamberlist is to proceed from Whitehorse to Vancouver to Victoria on June 12 to approx. June 20 for a period of approx. eight days for the purpose of attending Federal-Provincial Conference in Victoria and Yukon Day in Vancouver.

This journey is to be carried out by air under the authority (Air, Rail, PMC, Govt. Transport, etc)

of _____
(Quote regulation or special authority)

Travel advance in the amount of \$200.00 is approved, for which Cheque Requisition is attached.

Signed N. S. Chamberlist
Department Head or Authority

Certified funds available:

[Signature]
Territorial Treasurer

Department

2. PARTICULARS OF TRANSPORT WARRANTS ISSUED

Date	T.W. No.	Particulars	Amount	Vote	Pri	Est	Posted
Jun 10/71	A2 481	Whitehorse-Vancouver-Victoria return					

3. TRAVEL ADVANCES

Date	Cheque No.	Amount	G.R. or J.V. No.	Amount	Posted
Jun 10/71	B 119183	\$200.00			

4. ITINERARY AND DISBURSEMENTS

	Place	Hour and Date	Particulars	Amount
Dep				
Arr				
Dep			SEE ATTACHMENTS	288.95
Arr				
Dep				
Arr				
Dep				
Arr				
Dep				
Arr				
Dep				
Arr				
Dep				
Arr				

I hereby certify that all disbursements claimed were properly incurred by me in the public service:

Total Disbursements	288.95
Less: Advances	200.00
Balance due Claimant/G.W.	88.95

N. S. Chamberlist
Claimant

Recommended for payment:
[Signature]
Department Head or Authority

Issued
Received by _____ Cheque/Receipt No. _____
Audited and passed for payment _____
Territorial Treasurer

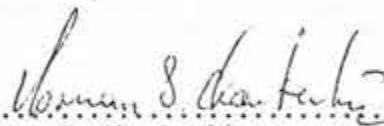
Dr. Acc.	Vote	Pri	Est	Posted
	1	50	120	258.95

G-V. 30-3D 200.00

Pay \$ 88.95

Re: Attendance at Federal Provincial Conference in Victoria
and Yukon Day in Vancouver

11 June 1971	Taxi Vancouver airport to hotel	5.50
	Georgian Towers Hotel	19.00
12 June 1971	Meals	10.75
	Georgian Towers Hotel	19.00
13 June 1971	Taxi to Vancouver airport	5.50
	Taxi Victoria airport to hotel	3.25
	Meals	9.25
	Imperial Hotel, Victoria	14.70
14 June 1971	Meals (including dinner for guest)	15.25
	Imperial Hotel	14.70
15 June 1971	Meals	4.25
	Imperial Hotel	14.70
16 June 1971	Meals (including dinner for guest)	15.75
	Imperial Hotel	14.70
17 June 1971	Taxi to Victoria airport	3.25
	Taxi to hotel from Vancouver airport	5.50
	Meals	8.25
	Georgian Towers Hotel	19.00
18 June 1971	Meals	11.00
	Georgian Towers Hotel	19.00
19 June 1971	Meals	10.75
	Georgian Towers Hotel	19.00
20 June 1971	Breakfast	2.50
	Taxi to Vancouver airport	5.50
	Taxi fares Vancouver and Victoria	7.50
	Tips in Vancouver and Victoria	8.00
	Telephone calls	3.40
		<u>\$288.95</u>


.....
Norman S. Chamberlist,
Member, Executive Committee

GOVERNMENT OF THE YUKON TERRITORY
TRAVEL EXPENSE CLAIM

Claimant— N. S. Chamberlist Dept.— Territorial Council
 Mailing Address— P. O. Box 254, Whitehorse
 Purpose of Travel— Territorial Council

DATE	DETAILS	Time of Departure and Arrival	VR No.	No. of Meals	Meals and Lodging	ALL Other Expenses
Nov. 30 to Dec. 6/69	Trip to Ottawa to visit Prime Minister 6 days at \$30.00 per day				180.00	
Mar. 30 to Apr. 3/70	Trip to and from Dawson City for Council Session 1970 (Second Session)				19.00	
Apr. 14 to Apr. 18/70	Trip to Ottawa to discuss Inland Waters Act 3 days at \$30.00 per day				90.00	
May 26 to May 30/70	Trip to Ottawa to discuss amendments to Yukon Act 3 days at \$30.00 per day				90.00	
June 22 to June 30/70	Trip to and from Watson Lake for Council Session 1970 (Third Session)				19.00	
Subtotals:					398.00	
					TOTAL:	398.00

Note: I have not been able to obtain hotel bills from the Chamberlist, however can verify that he was required to be on trip as above. N.S. Chamberlist 28/7/70

Summary of Advance		Accounting Distribution			
Advanced By Government	Amount	Vote	Primary	Establishment	Amount
Expenses Paid By Employees	300.00	1	61	100	398.00
From Government	98.00		4 (1.5)		300.00
					Paid 98.00
TOTAL:					398.00

I hereby certify that I have expended the amounts indicated, that the account is correct and just in all respects, and that the whole expenditure was actually incurred on government business.

Approved for payment pursuant to Travel Regulations _____
 Audited and Passed for Payment. _____

Not available
 CLAIMANT
N.S. Chamberlist
 DATE 22/7/70
W. S. Chamberlist
 DATE 29/7/70



THIS IS NOT A CHEQUE

B 97926

JUL 30 1970

The sum of 98 and 00/100 Cents

98.00

M.S. Chamberlist
Box 254
Whitehorse, Y.T.

FILE COPY

NOT NEGOTIABLE

DATE OF INVOICE	INVOICE NUMBER	PARTICULARS	AMOUNT OF INVOICE	APPROPRIATION NO.				AMOUNT
				VOTE	PRIM.	EST.	P/A	
Nov.30-June 30/70		Travelling expenses	98.00	1-61-100				398.00
				30-4CR.				300.00
								98.00
		TOTALS						98.00

*Re Shipments
SPA*

REMITTANCE ADVICE
GOVERNMENT OF YUKON TERRITORY
WHITEHORSE, YUKON TERRITORY

GOVERNMENT OF THE YUKON TERRITORY
TRAVEL AUTHORIZATION AND CLAIM

Hilda P. WATSON Executive Committee P. O. Box 2703, WHITEHORSE
(Claimant) (Department) (Address where cheques to be sent)

is to proceed from Whitehorse to Dawson City on May 11, 1973
for a period of 1 days for the purpose of holding public meeting to discuss.
This journey is to be carried out by Bus Policy Paper on Education - (mode of transportation) under the
authority of _____
(Quote regulation or special authority)

Travel advance in the amount of \$ _____ is approved,
for which cheque requisition is attached. SIGNED: [Signature]
Certified funds available: [Signature] (Department Head or Authority) Administrator

PARTICULARS OF TRANSPORT WARRANTS AND TRAVEL ADVANCES ISSUED

Date	T.W. or Cheque #	Particulars	Amount	Vote	Pri	Est	Other	Posted

ITINERARY AND DISBURSEMENTS

Date	Details (places expenses incurred)	Tise Arr/Dep	Vr. #	Amount
Mar. 11	Lunch			\$ 3.00
	Dinner			6.50
	Incidentals			3.00
	Hotel -- Dawson City			18.00
Mar. 12	Breakfast			2.50
	Lunch			3.00
	Incidentals			3.00
	Bus Ticket			30.00

I hereby certify that all disbursements claimed were properly incurred by me in the public service: Total Disbursements \$69.00
Less: Advances
Balance due Claimant/GOVT. \$69.00

[Signature]
(Claimant)
Recommended for payment:
[Signature]
(Department Head or Authority)

Issued _____
Received by _____ Cheque/Receipt No. _____
Audited and passed for payment _____
(Territorial Treasurer)

	Vote	Pri	Est	Other	Amount	Posted
Dr./Cr.	101	1203	300		69.00	725/72
Dr./Cr.						
Dr./Cr.						

GOVERNMENT OF THE YUKON TERRITORY
TRAVEL AUTHORIZATION AND CLAIM

Mrs. Hilda WATSON Executive Committee P. O. Box 2703, WHITEHORSE
 (Claimant) (Department) (Address where cheques to be sent)
 is to proceed from Whitehorse to Watson Lake on May 29th
 for a period of 4 days for the purpose of Department Heads' Meeting.
 This journey is to be carried out by Air - (mode of transportation) under the
 authority of _____
 (Quote regulation or special authority)

Travel advance in the amount of \$ _____ is approved,
 for which cheque requisition is attached.

SIGNED: _____

(Department Head or Authority)

Certified funds available: _____

(Territorial Treasurer)

PARTICULARS OF TRANSPORT WARRANTS AND TRAVEL ADVANCES ISSUED

Date	T.W. or Cheque #	Particulars	Amount	Vote	Pri	Est	Other	Posted

ITINERARY AND DISBURSEMENTS

Date	Details (places expenses incurred)	Time Arr/Dep	Vr. #	Amount
May 29th	To Watson Lake			
	Taxi to office			\$ 1.00
	First day incidentals			\$ 3.00
	Dinner			\$ 6.50
	Hotel			\$12.00
May 30th	Meals and Incidentals			\$15.00
	Hotel			\$12.00
May 31st	Meals and Incidentals			\$15.00
	Hotel			\$12.00
June 1st	Breakfast			\$ 2.50
	Luncheon			\$ 3.00
	Last Day Incidentals			\$3.00

I hereby certify that all disbursements claimed were properly incurred by me in the public service:

Total Disbursements

\$85.00

Less: Advances

-

Balance due Claimant/_____

\$85.00

Recommended for payment: _____

(Department Head or Authority)

Issued

Received by _____

Cheque/Receipt No. _____

Audited and passed for payment _____

(Territorial Treasurer)

	Vote	Pri	Est	Other	Amount	Posted
Dr./Cr.	01	100	20		85.00	71.113.0
Dr./Cr.						
Dr./Cr.						

GOVERNMENT OF THE YUKON TERRITORY
TRAVEL AUTHORIZATION AND CLAIM

Hilda P. WATSON Executive Committee P. O. Box 2703, WHITEHORSE, Y. T.
(Claimant) (Department) (Address where cheques to be sent)

is to proceed from Whitehorse to Mayo on Apr. 26, 1973.
for a period of 2 days for the purpose of meeting with community regarding Policy
This journey is to be carried out by car - Paper on Education (mode of transportation) under the
authority of _____
(Quote regulation or special authority)

Travel advance in the amount of \$ _____ is approved,
for which cheque requisition is attached.

SIGNED: _____

(Department Head of Authority)
Administrator

Certified funds available: _____

(Territorial Treasurer)

PARTICULARS OF TRANSPORT WARRANTS AND TRAVEL ADVANCES ISSUED

Date	T.W. or Cheque #	Particulars	Amount	Vote	Pri	Est	Other	Posted

ITINERARY AND DISBURSEMENTS

Date	Details (places expenses incurred)	Time Arr/Dep	Vr. #	Amount
April 26th, 1973.	Lunch			3.00 ✓
	Dinner			6.50 ✓
	Incidentals			3.00 ✓
	Hotel			12.00 ✓
April 27th, 1973.	Breakfast			2.50
	Lunch			3.00
	Incidentals			3.00
	Use of Own Vehicle			
	253 miles to Mayo			
	253 miles return to Whitehorse			
	506 miles x 18¢ per mile			91.08 ✓

I hereby certify that all disbursements claimed were properly incurred by me in the public service:

Total Disbursements

124.08

Less: Advances

-

Balance due Claimant

124.08

Recommended for payment: _____

Issued

Received by _____

Receipt No. _____

dated and passed

**GOVERNMENT OF THE YUKON TERRITORY
TRAVEL AUTHORIZATION AND CLAIM**

Mrs. Hilda P. Watson Executive Committee P. O. Box 2703,
 (Claimant) (Department) (Address where cheques to be sent)
 Whitehorse is to proceed from Whitehorse to Ottawa on Feb. 1/73
 for a period of 3 days for the purpose of _____
 This journey is to be carried out by air - (mode of transportation) under the
 authority of _____
 (Quote regulation or special authority)

Travel advance in the amount of \$ _____ is approved,
 for which cheque requisition is attached. SIGNED: _____
 (Department Head or Authority)

Certified funds available: J. H. [Signature]
 (Territorial Treasurer)

PARTICULARS OF TRANSPORT WARRANTS AND TRAVEL ADVANCES ISSUED

Date	T.W. or Cheque #	Particulars	Amount	Vote	Pri	Est	Other	Posted

ITINERARY AND DISEURSEMENTS

Date	Details (places expenses incurred)	Time Arr/Dep	Vr. #	Amount
	Airfare Whitehorse to Ottawa and return -- tickets attached. (Poor flying conditions from Toronto to Ottawa and to Montreal so car was hired for journey.)			\$406.00 ✓
Feb. 1	Left Whitehorse Incidentals			2.00 -
Feb. 2	Arrived Ottawa Hotel Allowance			26.25 ✓ 12.00 -
Feb. 3	Arrived Vancouver Taxi to hotel Hotel Allowance			5.00 ✓ 14.70 ✓ 12.00 ✓
Feb. 4	Breakfast Taxi to airport Incidentals Arrived Whitehorse			2.00 ✓ 5.00 - 2.00 -

I hereby certify that all disbursements claimed were properly incurred by me in the public service: Total Disbursements \$486.95
 Less: Advances -
 Balance due Claimant/Govt. \$486.95

Hilda P. Watson
 (Claimant)
 Recommended for payment:
[Signature]
 (Department Head or Authority)

Issued _____
 Received by _____ Cheque/Receipt No. _____
 Audited and passed for payment [Signature]
 (Territorial Treasurer)

	Vote	Pri	Est	Other	Amount	Posted
Dr./Cr.	01	120	30		486.95	mcg, 20217
Dr./Cr.						
Dr./Cr.						

GOVERNMENT OF THE YUKON TERRITORY
TRAVEL AUTHORIZATION AND CLAIM

Mrs. Hilda P. WATSON Executive Committee P. O. Box 2703
(Claimant) (Department) (Address where cheques to be sent)

Whitehorse is to proceed from Whitehorse to Vancouver on Nov. 28th
for a period of 2 days for the purpose of attending Local Initiatives Programme meeting.
This journey is to be carried out by Air - (mode of transportation) under the
authority of _____
(Quote regulation or special authority)

Travel advance in the amount of \$ _____ is approved,
for which cheque requisition is attached.

SIGNED: _____
(Department Head or Authority)

Certified funds available: _____
(Territorial Treasurer)

PARTICULARS OF TRANSPORT WARRANTS AND TRAVEL ADVANCES ISSUED

Date	T.W. or Cheque #	Particulars	Amount	Vote	Pri	Est	Other	Posted
Nov 27/72	A3576	TRIP - VANCOUVER						

ITINERARY AND DISBURSEMENTS

Date	Details (places expenses incurred)	Time Arr/Dep	Vr. #	Amount
Nov. 28	Taxi to Whitehorse Airport			3.75 ✓
	Taxi to Devonshire Hotel			5.00 ✓
	Hotel			18.90 ✓
	Dinner			4.50 ✓
	Incidentals			2.00 ✓
Nov. 29	Hotel			18.90 ✓
	Breakfast, Lunch, Dinner, Incidentals			12.00 ✓
Nov. 30	Breakfast			2.00 ✓
	Incidentals			2.00 ✓
	Taxi to Vancouver Airport			5.00 ✓

I hereby certify that all disbursements claimed were properly incurred by me in the public service:

	Total Disbursements	\$74.05
	Less: Advances	-
	Balance due Claimant/DMXX	\$74.05

Hilda P. Watson
(Claimant)
Recommended for payment:
[Signature]
(Department Head or Authority)

Issued _____
Received by _____ Cheque/Receipt No. _____
Audited and passed for payment [Signature]
(Territorial Treasurer)

	Vote	Est Pri	Est	Other	Amount	Posted
Dr./Cr.	01	120	40		74.05	21/12/72
Dr./Cr.						
Dr./Cr.						

**GOVERNMENT OF THE YUKON TERRITORY
TRAVEL AUTHORIZATION AND CLAIM**

Mrs. Hilda P. WATSON Executive Committee Box 2703, Whitehorse
 (Claimant) (Department) (Address where cheques to be sent)
 is to proceed from Whitehorse to Faro on Nov. 1st
 for a period of 3 days for the purpose of Department Heads' Conference.
 This journey is to be carried out by Bus - (mode of transportation) under the
 authority of _____
 (Quote regulation or special authority)

Travel advance in the amount of \$ _____ is approved,
 for which cheque requisition is attached. SIGNED: _____
 (Department Head or Authority)

Certified funds available: _____
 (Territorial Treasurer)

PARTICULARS OF TRANSPORT WARRANTS AND TRAVEL ADVANCES ISSUED

Date	T.W. or Cheque #	Particulars	Amount	Vote	Pri	Est	Other	Posted

ITINERARY AND DISBURSEMENTS

Date	Details (places expenses incurred)	Time Arr/Dep	Vr. #	Amount
Nov. 1st	Hotel			\$ 16.00
	Dinner			4.50
	Incidentals			2.00
Nov. 2nd	Hotel			16.00
	Meals and Incidentals			12.00
Nov. 3rd	Hotel			16.00
	Meals and Incidentals			12.00
Nov. 4th	Breakfast			2.00
	Incidentals			2.00

I hereby certify that all disbursements claimed were properly incurred by me in the public service:
 Total Disbursements \$ 82.50
 Less: Advances _____
 Balance due Claimant/_____. \$ 82.50

Recommended for payment:

 (Department Head or Authority)

Issued
 Received by _____ Cheque/Receipt No. _____
 Audited and passed for payment _____

(Territorial Treasurer)

	Vote	Pri	Est	Other	Amount	Posted
Dr./Cr.	01	30	120		82.50	3/11/73 msc
Dr./Cr.						
Dr./Cr.						

GOVERNMENT OF THE YUKON TERRITORY
TRAVEL AUTHORIZATION AND CLAIM

1. Hilda P. WATSON is to proceed from Whitehorse to Australia
on September 22nd, 1972. for a period of 14 days for the purpose of
a tour of the Northern Territory

This journey is to be carried out by Air under the authority
(Air, Rail, PMC, Govt. Transport, etc)
of _____
(Quote regulation or special authority)

Travel advance in the amount of \$1,000.00 is approved, for which Cheque Requisition is attached.

Certified funds available:

[Signature]
Territorial Treasurer

Signed [Signature]
Department Head or Authority
Commissioner
Department

2. PARTICULARS OF TRANSPORT WARRANTS ISSUED

Date	T.W. No.	Particulars	Amount	Vote	Pri	Est	Posted
<u>19/72</u>	<u>A 3507</u>	<u>WASE - AUSTRALIA</u>					

3. TRAVEL ADVANCES

Date	Cheque No.	Amount	G.R. or J.V. No.	Amount	Posted
<u>Sept 15</u>	<u>B 149104</u>		<u>1,000.00</u>		

4. ITINERARY AND DISBURSEMENTS

	Place	Hour and Date	Particulars	Amount
Dep			<u>Please see attached outline,</u>	
Arr				
Dep			<u>NOTE: Meals have been deducted from the</u>	
Arr			<u>hotel bills.</u>	
Dep				
Arr				
Dep				
Arr				
Dep				
Arr				
Dep				
Arr				
Dep				

I hereby certify that all disbursements claimed were properly incurred by me in the public service:
[Signature] Claimant

Total Disbursements	\$589.13
Less: Advances	1000.00
Balance due BY Govt.	\$410.87

Recommended for payment:
[Signature]
Department Head or Authority

Issued
Received by [Signature] Cheque/Receipt No. L 2132
Audited and passed for payment [Signature]
Territorial Treasurer

Dr./Cr.	Vote	Pri	Est	Posted
	<u>1</u>	<u>30</u>	<u>120</u>	<u>589.13</u>

20-363 Credit 589.13
21 350

CLAIM FOR MRS. H. P. WATSON

Sept. 20th.....Left Whitehorse
Sept. 20th.....Incidentals.....\$ 2.00 ✓
Sept. 21st.....Arrived Ottawa
Taxi to hotel.....\$ 5.00 ✓
Hotel - Ottawa.....\$ 92.72 ✓
Sept. 21st.....Lunch, Dinner, Incidentals.....\$ 10.00 ✓
Sept. 22nd.....Breakfast, Lunch, Dinner, Incidentals.....\$ 12.00 ✓
Sept. 23rd.....Breakfast.....\$ 2.00 ✓
Sept. 23rd.....Left Ottawa

\$123.72

Sept. 23rd - Sept. 25th
Flying Vancouver To Darwin
Sept. 25th.....Arrived Darwin
Hotel - Darwin.....\$ 29.60 ✓
Sept. 25th.....Dinner.....\$ 4.50 ✓
Sept. 26th.....Breakfast, Lunch, Dinner, Incidentals.....\$ 12.00 ✓
Sept. 27th.....Breakfast, Lunch, Dinner, Incidentals.....\$ 12.00 ✓
Sept. 28th.....To Katherine
Hotel - Katherine.....\$ 28.00 ✓
Sept. 28th.....Breakfast, Lunch, Dinner, Incidentals.....\$ 12.00 ✓
Sept. 29th.....Breakfast, Lunch, Dinner, Incidentals.....\$ 12.00 ✓
Sept. 30th.....To Alice Springs
Hotel - Alice Springs.....\$ 10.00 ✓
Sept. 30th.....Breakfast, Lunch, Dinner, Incidentals.....\$ 12.00 ✓
Oct. 1st.....Hotel - Alice Springs.....\$ 27.05 ✓
Oct. 1st.....Breakfast, Lunch, Dinner, Incidentals.....\$ 12.00 ✓
Oct. 2nd.....Breakfast, Lunch, Dinner, Incidentals.....\$ 12.00 ✓
Oct. 3rd.....To Darwin
Hotel - Darwin.....\$ 62.85 ✓
Oct. 3rd.....Breakfast, Lunch, Dinner, Incidentals.....\$ 12.00 ✓

...../2

Oct. 4th.....Breakfast, Lunch, Dinner, Incidentals.....\$ 12.00
 Oct. 5th.....Breakfast, Lunch, Dinner, Incidentals.....\$ 12.00
 Oct. 6th.....Breakfast, Lunch, Dinner, Incidentals.....\$ 12.00
 Oct. 7th.....To Sydney
 Hotel - Sydney.....\$ 37.00
 Oct. 7th.....Breakfast, Lunch, Dinner, Incidentals.....\$ 12.00
 Oct. 8th.....Breakfast, Lunch, Dinner, Incidentals.....\$ 12.00
 Oct. 9th.....Breakfast.....\$ 2.00
 Oct. 9th.....Taxi to airport.....\$ 5.00
 Oct. 9th.....Left Australia.....

Australian Dollars....\$362.00

Conversion to Canadian Dollars - 18¢ per dollar...\$ 65.16

\$427.16

Oct. 9th.....Arrived Vancouver
 Oct. 9th.....Taxi to hotel.....\$ 5.00
 Oct. 9th.....Hotel - Vancouver.....\$ 22.75
 Oct. 9th.....Dinner.....\$ 4.50
 Oct. 10th.....Breakfast.....\$ 2.00
 Oct. 10th.....Limousine to airport.....\$ 2.00
 Oct. 10th.....Incidentals.....\$ 2.00
 Oct. 10th.....Returned to Whitehorse

\$ 38.25

Trip to Ottawa.....\$123.72

Trip to Australia.....\$427.16

Stay in Vancouver.....\$ 38.25

Total \$589.13

CHEQUE REQUISITION



GOVERNMENT OF YUKON TERRITORY

APPLICATION IS MADE FOR THE ISSUE OF THE FOLLOWING CHEQUE (S) _____

DATE September 15th, 1972. CHEQUE NUMBER _____

PAYEE Mrs. Hilda P. Watson

AMOUNT \$1,000.00

DETAILS OF PAYMENT

Advance required for tour of Northern Territory of Australia.

TO BE CHARGED TO:	VOTE	PRIMARY	EST.	AMOUNT
	30-30.			
CERTIFIED THAT: (a) THE EXPENDITURE REPRESENTED BY THE ABOVE CHEQUE IS IN RESPECT OF GOODS AND/OR SERVICES THAT HAVE BEEN RECEIVED AND CHARGED FOR AT A RATE WHICH IS FAIR AND REASONABLE. (b) THE EXPENDITURE IS NECESSARY FOR THE TERRITORIAL PUBLIC SERVICE.				TOTAL

REQUISITIONED
Mrs. Hilda P. Watson
 HEAD OF DEPARTMENT

EXAMINED
M. J. [Signature]
 TERRITORIAL TREASURER

APPROVED
[Signature]
 COMMISSIONER

**GOVERNMENT OF THE YUKON TERRITORY
TRAVEL AUTHORIZATION AND CLAIM**

Mrs. Hilda P. Watson is to proceed from Whitehorse to Whitehorse
on June 16th, 1972 for a period of 5 days for the purpose of
Tour of the Yukon Territory

This journey is to be carried out by Air, Chartered Bus under the authority
(Air, Rail, PMC, Govt. Transport, etc)
of Commissioner
(Quote regulation or special authority)

Travel advance in the amount of \$ Nil is approved, for which Cheque Requisition is attached.

Certified funds available:

M. G. ...
Territorial Treasurer

Signed [Signature]
Department Head or Authority
Commissioner
Department

2. PARTICULARS OF TRANSPORT WARRANTS ISSUED

Date	T.W. No.	Particulars	Amount	Vote	Pri	Est	Posted
		<u>Nil</u>					

3. TRAVEL ADVANCES

Date	Cheque No.	Amount	C.R. or J.V. No.	Amount	Posted
		<u>Nil</u>			

4. ITINERARY AND DISBURSEMENTS

	Place	Hour and Date	Particulars	Amount
Dep	Whitehorse	8:00 a.m.		
Arr	Dawson	June 16th	Dinner and incidentals	\$ 6.50 /
Dep	Inuvik	June 17th	Breakfast, dinner and incidentals	\$ 9.50
Arr				
Dep	Faro	June 18th	Breakfast, lunch, dinner and incidentals	\$12.00
Arr				
Dep	Watson Lake	June 19th	Breakfast and incidentals	\$ 5.00 /
Arr	Watson Lake	June 20th	Breakfast and incidentals	\$ 4.00
Dep	Whitehorse	9:00 p.m.		
Arr				
Dep				
Arr				
Dep				

I hereby certify that all disbursements claimed were properly incurred by me in the public service:

Total Disbursements	\$37.00
Less: Advances	
Balance due Claimant/XXXX	\$37.00

[Signature]
Claimant

Recommended for payment:
[Signature]
Department Head or Authority

Issued
Received by _____ Cheque/Receipt No. _____
Audited and passed for payment _____
Territorial Treasurer

Dr./Cr.	Vote	Pri	Est	Posted
	1	30	120	\$37.00

C
95
GOVERNMENT OF THE YUKON TERRITORY
TRAVEL AUTHORIZATION AND CLAIM

Hilda P. Watson is to proceed from Whitehorse to Mile 134.5
on May 16th, 1972 for a period of 2 1/2 days for the purpose of ^{Haines Road}
Department and Branch Heads Meeting

This journey is to be carried out by Bus under the authority
(Air, Rail, PMC, Govt. Transport, etc)

of _____
(Quote regulation or special authority)

Travel advance in the amount of \$ _____ is approved, for which Cheque Requisition is attached.

Certified funds available:
[Signature]
Territorial Treasurer

Signed [Signature]
Department Head of Authority
Commissioner
Department

PARTICULARS OF TRANSPORT WARRANTS ISSUED

Date	T.W. No.	Particulars	Amount	Vote	Pri	Est	Posted
		<u>h.c.</u>					

TRAVEL ADVANCES

Date	Cheque No.	Amount	G.R. or J.V. No.	Amount	Posted
		<u>h.c.</u>			

ITINERARY AND DISBURSEMENTS

	Place	Hour and Date	Particulars	Amount
Dep	Whitehorse	1:00 p.m.	May 16th, 1972.	
Arr		May 16th, 1972	Dinner	\$4.00 ✓
Dep			Hotel Room	\$13.05 ✓
Arr			May 17th, 1972.	
Dep			Breakfast	\$ 1.15 ✓
Arr			Lunch	\$ 3.80
Dep			Dinner	\$ 3.80
Arr			Hotel Room	\$13.05 ✓
Dep			May 18th, 1972.	
Arr			Lunch	\$ 3.50
Dep	Mile 134.5	4:30 p.m.		
Arr	Haines Road	May 18th, 1972.		
Dep				

I hereby certify that all disbursements claimed were properly incurred by me in the public service:
[Signature] Claimant
Total Disbursements \$42.35
Less: Advances -
Balance due Claimant/Pay. \$42.35

Recommended for payment:
[Signature]
Department Head of Authority

Issued
Received by _____ Cheque/Receipt No. _____
Audited and passed for payment [Signature]
Territorial Treasurer

Dr./Cr.	Vote	Pri	Est	Posted
	1	30	120	42.35

**GOVERNMENT OF THE YUKON TERRITORY
TRAVEL AUTHORIZATION AND CLAIM**

Hilda P. WATSON is to proceed from Whitehorse to Burwash Landing
on October 3rd, 1971 for a period of 3 days for the purpose of
attending Department Heads' Meeting

This journey is to be carried out by Government Transport under the authority
(Air, Rail, PNC, Govt. Transport, etc)

of _____
(Quote regulation or special authority)

Travel advance in the amount of \$ Nil is approved, for which Cheque Requisition is attached.

Signed *Hilda P. Watson*
Department Head or Authority
Commissioner
Department

Certified funds available:
Hilda P. Watson
Territorial Treasurer

2. PARTICULARS OF TRANSPORT WARRANTS ISSUED

Date	T.W. No.	Particulars	Amount	Vote	Pri	Est	Posted
			<u>Nil</u>				

3. TRAVEL ADVANCES

Date	Cheque No.	Amount	G.R. or J.V. No.	Amount	Posted
		<u>Nil</u>			

4. ITINERARY AND DISBURSEMENTS

	Place	Hour and Date	Particulars	Amount
Dep	<u>BURWASH LANDING</u>		<u>Accommodation</u>	
Arr			<u>Nights of Sunday, Oct. 3rd</u>	<u>\$10.00</u>
Dep			<u>Monday, Oct. 4th</u>	<u>\$10.00</u>
Arr			<u>Tuesday, Oct. 5th</u>	<u>\$10.00</u>
Dep				
Arr			<u>Meals</u>	
Dep			<u>Dinner, Oct. 3rd</u>	<u>\$ 4.00</u>
Arr			<u>All meals, Oct. 4th</u>	<u>\$ 7.00</u>
Dep			<u>All meals, Oct. 5th</u>	<u>\$ 7.00</u>
Arr			<u>Incidental</u>	<u>4.00</u>
Dep			<u>RECEIPT NOT AVAILABLE FOR</u>	
Arr			<u>ACCOMMODATION TUESDAY, OCT. 5th.</u>	
Dep				

I hereby certify that all disbursements claimed were properly incurred by me in the public service:
Hilda P. Watson
Claimant

Total Disbursements \$48.00
Less: Advances ---
Balance due Claimant \$48.00

Recommended for payment:
Hilda P. Watson
Department Head or Authority

Issued Received by _____ Cheque/Receipt No. _____
Audited and passed for payment *Hilda P. Watson*
Territorial Treasurer

Dr./Cr.	Vote	Pri	Est	Posted
	<u>1</u>	<u>30</u>	<u>120</u>	<u>48.00</u>

**GOVERNMENT OF THE YUKON TERRITORY
TRAVEL AUTHORIZATION AND CLAIM**

Hilda P. WATSON is to proceed from Whitehorse to North Highway,
on October 6th, 1971 for a period of 2 days for the purpose of Carmacks
October 19th, 1971 public meetings regarding Yukon Health Care

This journey is to be carried out by Insurance Plan Govt. Transport under the authority
(Air, Rail, PMC, Govt. Transport, etc)

of _____
(Quote regulation or special authority)

Travel advance in the amount of \$ 112 is approved, for which Cheque Requisition is attached.

Signed [Signature]
Department Head or Authority
Commissioner
Department

Certified [Signature] available:
[Signature]
Territorial Treasurer

2. PARTICULARS OF TRANSPORT WARRANTS ISSUED

Date	T.W. No.	Particulars	Amount	Vote	Pri	Est	Posted
			112				

3. TRAVEL ADVANCES

Date	Cheque No.	Amount	G.R. or J.V. No.	Amount	Posted
		112			

4. ITINERARY AND DISBURSEMENTS

	Place	Hour and Date	Particulars	Amount
Dep	BEAVER CREEK	Oct. 6th, 1971	Accommodation	\$10.00
Arr			Meals	\$ 7.00 10.50
Dep	HAINES JUNCTION	Oct. 6th, 1971	---	-----
Arr	CARMACKS	Oct. 19th, 1971	Dinner	\$ 4.00
Dep			Accommodation	\$10.00
Arr		Oct. 20th, 1971	Breakfast	\$ 1.00 1.50
Dep				
Arr				
Dep			RECEIPT NOT AVAILABLE FOR ACCOMMODATION AT CARMACKS	
Arr				
Dep				
Arr				
Dep				

I hereby certify that all disbursements claimed were properly incurred by me in the public service:

Total Disbursements	\$32.00
Less: Advances	---
Balance due Claimant	\$32.00

[Signature]
Claimant

Recommended for payment:
[Signature]
Department Head or Authority

Issued _____
Received by _____ Cheque/Receipt No. _____
Audited and passed for payment [Signature]
Territorial Treasurer
11/10/71

Dr./Cr.	Vote	Pri	Est	Posted
	1	50	120	32.00

37

GOVERNMENT OF THE YUKON TERRITORY
TRAVEL EXPENSE CLAIM

Claimant - Mrs Hilda Watson Dept - _____
 Mailing Address - Haines Jct Alaska Hwy
 Purpose of Travel - TERRITORIAL COUNCIL SESSION
1970 (4th)

NOV. 13 DATE	DETAILS (Include Names of Places Where Expenses Were Incurred)	Time of Departure and Arrival	VR No.	No of Meals	Meals and Lodging	ALL Other Expenses
<u>9-70</u>	<u>LIVING EXPENSES (NOV. 4-13)</u>					
	<u>10 DAYS @ 25.00</u>					<u>250.00</u>
	<u>200 MILES @ \$.17</u>					<u>34.00</u>
Subtotals:						
TOTAL:						<u>284.00</u>

Summary of Advance		Accounting Distribution			
Advanced By Government		Vote	Primary	Establishment	Amount
Expenses Paid By Employer	<u>284.00</u>	<u>1</u>	<u>6/</u>	<u>100</u>	<u>284.00</u>
From Government	<u>284.00</u>				

Complete This Section Only When Money is Due From Government

By Cash By Cheque Mail Cheque To: _____
MRS H WATSON
HAINES JCT, ALASKA HWY, HALES.

Cash Received By _____ Date _____ TOTAL: _____

I hereby certify that I have expended the amounts indicated, that the account is correct and just in all respects, and that the whole expenditure was actually incurred on government business.

Approved for payment pursuant to Travel Regulations _____
 Audited and Passed for Payment. _____

Mrs H Watson CLAIMANT Nov 13/70 DATE
Hilda Watson
Hilda Watson 12/1/70

MR. SPEAKER

MEMBERS OF COUNCIL

I HAVE THE HONOUR TO WELCOME YOU TO THIS, THE NINTH SESSION OF THE TWENTY-SECOND WHOLLY-ELECTED COUNCIL OF THE YUKON TERRITORY.

WHILE IT MAY BE THE NINTH SESSION FOR COUNCILLORS, IT IS NUMBER ONE FOR THE NEW CLERK OF COUNCIL. ALLOW ME TO TAKE ADVANTAGE OF THIS OPPORTUNITY TO EXTEND A WELCOME TO MRS. ADAMS, CANADA'S FIRST WOMAN LEGISLATIVE CLERK WHO ASSUMED HER NEW POSITION JUST THREE WEEKS AGO. I ALSO WISH TO ANNOUNCE THE APPOINTMENT OF THE NEW ASSISTANT CLERK OF COUNCIL, MR. PETER CHRISTIAN, WHO HAS BEEN EMPLOYED IN THE PERSONNEL DEPARTMENT FOR THE LAST YEAR. MR. CHRISTIAN WILL ASSUME HIS NEW DUTIES IN MID-AUGUST WHEN THE PRESENT ASSISTANT CLERK LEAVES TO PURSUE HIS STUDIES AT THE UNIVERSITY OF BRITISH COLUMBIA. AT THIS TIME, I WANT TO WISH JIM ALMSTROM SUCCESS IN HIS STUDIES.

I AM SURE THE COUNCILLORS DO NOT NEED TO BE REMINDED THAT 1973 MARKS THE 75TH ANNIVERSARY OF THE GREAT KLONDIKE GOLD RUSH OF 1898. THE GROWTH RATE OF THE TRAVEL INDUSTRY IN YUKON OVER THE PAST DECADE HAS BEEN AMAZING - FROM 40,000 VISITORS WHO SPENT \$2 MILLION IN 1962 TO 270,000 TOURISTS WHO DEPOSITED ALMOST \$22 MILLION IN YUKON CASH REGISTERS LAST YEAR. DURING THIS, THE YEAR OF KLONDIKE '73, THE VISITOR INDUSTRY WILL PROVIDE NEARLY \$30 MILLION TO YUKON ECONOMY AND THE TERRITORY WILL HOST AN UNPRECEDENTED 350,000 VISITORS.

IT IS NOW BECOMING APPARENT THAT THE PHENOMENAL GROWTH RATE OF 22% FORECAST FOR THIS INDUSTRY OVER LAST YEAR WILL TURN OUT TO BE A CONSERVATIVE ESTIMATE WHEN ALL THE FIGURES ARE KNOWN.

THERE ARE MANY FACTORS CONTRIBUTING TO THE CONTINUING GROWTH OF THE YUKON TRAVEL INDUSTRY. ONE SIGNIFICANT CONTRIBUTION TO OUR TOURISM GROWTH IS THE EFFECTIVE RE-ORGANIZATION AND EXPANSION OF PROGRAMS OF THE TOURISM AND INFORMATION BRANCH. IMPROVED MARKETING PROGRAMS, EXTENSION AND UPGRADING OF CAMPGROUND SERVICES TOGETHER WITH THE PROMOTIONAL ACTIVITIES OF KLONDIKE '73 HAVE ADDED IMPETUS TO OUR VISITOR INCREASES THIS YEAR. CHANGING TRAFFIC PATTERNS PRODUCED BY HIGHWAY CONSTRUCTION, THE ATTRACTION OF KLUANE NATIONAL PARK, IMPROVING VISITOR FACILITIES AND INTEREST GENERATED IN NEW AREAS WILL ASSURE THE CONTINUED GROWTH OF YUKON TOURISM. IF CURRENT GROWTH IS MAINTAINED AND THERE IS EVERY INDICATION THAT IT WILL BE, YUKON COULD BE HOSTING OVER ONE HALF MILLION VISITORS ANNUALLY BY THE END OF THE 1970'S.

COUNCIL HAS AGAIN BEEN CALLED TOGETHER TO GIVE ITS CONSIDERATION TO THE PROPOSED NEW WORKMEN'S COMPENSATION ORDINANCE AND RELATED BILLS. BECAUSE THESE BILLS ARE SUBSTANTIALLY THE SAME AS THOSE PLACED BEFORE YOU AT THE LAST SESSION OF COUNCIL, I DO NOT FEEL THAT IT IS NECESSARY AT THIS TIME TO DO MORE THAN REPEAT THEIR TITLES. THUS THE FOLLOWING LEGISLATION WILL BE PLACED BEFORE YOU AT THIS SESSION:

WORKMEN'S COMPENSATION ORDINANCE

WORKMEN'S COMPENSATION SUPPLEMENTARY BENEFITS
ORDINANCE

THIRD APPROPRIATION ORDINANCE, 1973/74

IN ADDITION TO THE FOREGOING, SESSIONAL PAPERS SEEKING
A COUNCIL REPRESENTATIVE FOR THE WHITEHORSE - INDIAN
VILLAGE RELOCATION COMMITTEE AND FOR THE WHITEHORSE
HOSPITAL ADVISORY BOARD WILL BE TABLED. NO FURTHER
ADMINISTRATIVE OR LEGISLATIVE ITEMS WILL BE SUBMITTED
TO YOU AT THIS SESSION, IN THE EVENT THAT THERE ARE
ADDITIONAL ITEMS WHICH YOU MIGHT WISH TO HAVE BROUGHT
FORWARD, I AND MY OFFICERS WILL BE AVAILABLE TO ASSIST
YOU IN ANY WAY WE POSSIBLY CAN.

I TRUST THAT OUR MUTUAL ENDEAVOURS WILL PRODUCE
RESULTS OF LASTING BENEFIT TO THE PEOPLE OF THE YUKON
TERRITORY.



J. SMITH,
COMMISSIONER.

July 12th, 1973.

LEGISLATIVE RETURN NO. 1 (1973 THIRD SESSION)

Mr. Speaker

Members of Council

On June 14th, 1973, Councillor McKinnon asked several questions concerning the letters of cancellation that were sent to some teachers by the Department of Education. The questions, and the answers to the questions, are as follows:

Question: How many letters re cancellation of employment to teachers were sent out by the Department of Education?

Answer: Thirteen.

Question: How many of these letters that originally went out asking for teachers termination were later reneged by the Department of Education of the Government of the Yukon Territory?


Answer: None.

Question: Re-phrased: After registered letters went out asking for the teachers termination, were further letters sent out from the Department of Education asking that the registered letters in effect be ignored and that their termination was no longer requested by the Territorial Government?

Answer: No letters were sent out by the Department of Education requesting that the original letters be ignored.

Additional Information:

- 5 - Teachers who received letters, resigned.
- 4 - Teachers who received letters were given a second year's probation.
- 1 - Teacher was terminated.
- 5 - Teachers were re-assigned.


Hilda P. Watson,
Member,
Executive Committee.

LEGISLATIVE RETURN 2(1973 THIRD SESSION)

July 23, 1973

Mr. Speaker,
Members of Council

On June 14, 1973 Councillor McKinnon asked the following question:

- 1) "I wonder if I could ask Mr. Commissioner, Mr. Speaker, what happened to the insect control spray program this year, why it was so ineffective. Is it going to be rectified so that people can at least go outside of their homes and cottages this summer? When will we have the report of the effectiveness of the study, because any child with the number of mosquito bites on him this year in Metropolitan Whitehorse could show you the results of the effectiveness of it."
- 2) "Supplementary question, Mr. Speaker, the Government of the Yukon Territory is then satisfied that as far as the spraying program went by the contractor that they fulfilled their contractual obligations to spray those areas which they are contracted to do properly?"

The answer is as follows:

- 1) The Insect Control Program consists of two aerial applications of two different chemicals, carried out by the Yukon Territorial Government in Yukon communities, the cost of which is charged back to the municipality or community at our cost.

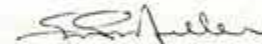
The first chemical, Abate, is applied to breeding sites, that is, areas of slow moving or stagnant water where the immature stages of the mosquito are developing. This larval stage of development is restricted to water so these sources are the target for the aerial application. Abate is effective against this particular stage of development only and does not kill adult mosquitoes flying at that time. The timing of the application is coincided with the majority of mosquitoes being in this stage of development.

The second chemical, Malathion, is applied when the mosquito (adults) are most abundant that is, in early morning and evening. This chemical must contact the flying adults to be effective and thus the spraying is delayed until the majority of mosquitoes have become adults. This chemical, as well as Abate, breaks down in three to four days so the timing of the application is most important. The development time is dependent on the temperature, amount of rainfall and weather. As these change yearly, the spraying cannot be done according to a calendar date. As the residual life of this chemical is very short, mosquitoes from surrounding areas may fly in or be blown in by wind into the sprayed areas. A more persistent chemical, like D.D.T., would solve this problem but would be more harmful to the environment.

A third chemical application could be performed with the ground control equipment available from the Yukon Territorial Government. We have several foggers available and can supply both the equipment and chemical to the City at cost if they were interested. This method of application has limited effectiveness and must be performed regularly to control mosquito numbers. Two to three applications per week is a normal application frequency but may be changed in accordance with the number of mosquitoes present.

An Entomologist has been hired to assess our present program and to make recommendations as to increasing the effectiveness of the aerial program, test a ground control program and to report on any new methods that will increase the efficiency of the insect kill.

- 2) The Entomologist has been responsible for verifying the opportune times for spray operation and we are satisfied that the spray application times have been timed for the most opportune moment for the majority of the communities in the control program, keeping in mind that weather conditions are not uniform throughout the Yukon. We do not use untreated areas as controls to measure the effectiveness of this program. The contractor has applied the required amount of chemicals using the proper methods. Our Entomologist is presently evaluating the effectiveness of the last spray application. The City of Whitehorse was sprayed with Malathion for flying insects on July 14th to 17th.



M.E. Miller
Member
Executive Committee

LEGISLATIVE RETURN³(1973 THIRD SESSION)

July 23, 1973

Mr. Speaker,
Members of Council

On June 14, 1973 Councillor Taylor asked the following question:

"I have a question I would like to direct to Mr. Commissioner respecting the use of defoliants in the Yukon. I am wondering if the administration has yet undertaken a study to determine to what extent defoliants are used in the Yukon and would also like to ask Mr. Speaker if it is the intention of the administration to bring down legislation which would restrict or prohibit the use of defoliants in the Yukon Territory."

The answer is as follows:

We are unaware of any studies being carried out to determine the extent to which defoliants are used in the Yukon.

Although there are no existing or anticipated Federal laws prohibiting the use of defoliants in the Yukon, the Federal Department of the Environment strongly discourage their use.

The Department of the Environment would want to review each application on an individual basis so potential environmental damage to fish, wildlife, birds, etc. can be adequately assessed. The Department would require a long lead time so that when necessary, pre-spray studies could be conducted. The Department might also want to conduct post-spray studies so as to better understand the environmental consequences of such an operation.

A standard form on how to inform the Department of Environment of anticipated spray programs (herbicides or pesticides) will be sent shortly to the Yukon Territorial Government. The type of information required would include:

- 1) Purpose of spray program;
- 2) Brand name of chemical;
- 3) Chemical name and formulae;
- 4) Method of application;
- 5) Dosage - a rate of application;
- 6) Total area to be treated;
- 7) Carrier or admixture;
- 8) Ratio of admixture to chemical;
- 9) Two copies of detailed maps showing water sheds, roads, etc. to be supplied;
- 10) Time of proposed application.

In general, the Federal Department of Environment policy can be stated as follows:

- 1) The use of defoliants is discouraged and not approved if other methods are available and feasible.
- 2) Only selected defoliants are approved and these are only approved on a specific application basis which requires a detailed environmental assessment.
- 3) The use of approved defoliants is restricted to specific areas; for example, exclusion of water courses, populated areas.



M.E. Miller
Member
Executive Committee

July 23, 1973.

LEGISLATIVE RETURN NO 4 (1973 THIRD SESSION)

Mr. Speaker,

Members of Council

During a question period of the 1973 second session of Council held in Dawson City, Councillor McKinnon raised a question concerning the issuing of temporary permits under the Transport Public Utilities Ordinance.

The answer to the question is as follows:

Council's attention is drawn to the Transport Public Utilities Ordinance, Section 35, which reads as follows:

"35.(1) The Board may, on the grounds of urgency and notwithstanding that it has not held a public hearing, make an interim order on any matter within its jurisdiction or issue or alter a certificate, but the order shall expire sixty days from the date on which it is made but may be renewed by the Board.

(2) Any person affected by an order made or approval granted pursuant to subsection (1) may within fourteen days of the making of the order, or within such further time as the Board may allow, apply to the Board to alter or rescind the order or the approval thereof. 1971 (1st) c. 13, s.35."

Under the authority of Section 35 the Board has granted temporary permits, but in all cases the applicant has been required to carry out the necessary advertising and a hearing has been held to determine whether or not the operating authority should be granted. The latest such case, which I believe would be the reason for the question, is the transport and laying of calcium chloride on Yukon roads. The successful bidder on the contract was under pressure to get the work commenced immediately. The Board, considering that special equipment was required to perform the work, and considering the urgency, saw fit to grant a temporary permit. The application has been made in the proper manner, the advertising has been carried out and the Board, at its recent hearing, has granted an authority to the company to allow them to complete the contract which they have with the Territorial Government.



F. B. Finland
Member, Executive Committee

LEGISLATIVE RETURN NO. 5 (THIRD SESSION)

July 25, 1973

Mr. Speaker,
Members of Council

On July 24, 1973 Councillor Taylor asked the following question:

"Mr. Speaker, I have a question I would like to direct to Mr. Commissioner this afternoon. As a result of the questions I asked in Dawson respecting the Town of Faro and in view of the problems that do exist within the townsite - the physical problems such as water works, subsoil conditions, etc., has the Administration since the Dawson Council Session undertaken to go to Faro and enjoin the parties concerned to discussions as to how these problems can be resolved?"

The answer is as follows:

The Council of the Town of Faro have been provided with a report by their Consulting Engineers as to how the water problems encountered this spring can be rectified. This recommendation has been verified by our Municipal Engineer.

Consideration is presently being given to the community's request for financial assistance to rectify these problems. These problems have been in continuing discussion with Mayor Mitchell and Town Manager Couture since they became known.



M.E. Miller,
Member, Executive Committee.