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YUKON LEGISLATIVE COUNCIL

VOTES & PROCEEDINGS

AND

PAPERS

22ND WHOLLY ELECTIVE COUNCIL

1974 FIRST SESSION

VOLUME 1

SPEAKER: MR. R.A. RIVETT

I N D E X

1974 (First Session)

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VOTES AND PROCEEDINGS
OF THE
COUNCIL OF THE YUKON TERRITORY

Wednesday, February 13, 1974

The First Session of the Council for the year 1974, being the Eleventh Session of the Twenty-Second Wholly Elective Council of the Yukon Territory, was convened in the Council Chambers at 3:00 p.m. on Wednesday, February 13, 1974.

The Members present were:

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

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 Eleventh 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 now 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 is ready to give his Opening Address, in the Supreme Court.

Mr. Speaker: Council will now stand adjourned to hear the Commissioner's Opening Address.

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. 1).

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

Mr. Speaker: At this time I will now call Council back to order. What is your pleasure at this time?

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

Mr. Speaker: Is there a seconder?

Mrs. Watson: Mr. Speaker, I will second that Motion.

Mr. Speaker: You have heard the Motion. Are you agreed? I declare the motion carried.

MOTION CARRIED

Mr. Speaker: What is your further pleasure?

BILL #1 INTRODUCED

Mr. McKinnon: Mr. Speaker, as requested by you I beg to move on your behalf and seconded by myself, that Bill No. 1, an Ordinance intituled

An Ordinance to Amend the Electrical Public Utilities Ordinance, be introduced.

MOTION CARRIED

Mr. Speaker: I wonder at this time if I might draw the attention of the House to the absence of Mr. Speaker, who is regrettably very ill and unable to attend these Sessions, and the requirement for the election of the Deputy Chairman of Committee. I am wondering if the Honorable Members would care to propose a Member of Council to serve in this capacity.

Mr. Chamberlist: Mr. Speaker, I would move that Councillor Stutter be given that position.

Mr. Stutter: Mr. Speaker, I resigned from that position on March 6th, 1973 and my resignation from that position still stands.

Mr. Chamberlist: With respect Mr. Speaker, this isn't the case of the resignation at all, but because the House is in the unenviable position of not having a Deputy Speaker acting as a Chairman of Committee so it would be the responsibility of the Member, once you appoint him to accept that position in the interest of the operation of the House business.

Mr. Speaker: The problem of the election of a Deputy Speaker or the, perhaps the Deputy Chairman of the Committee, it is important that we have someone to fill this function more particularly when Mr. Speaker is unavoidably absent from the House. The functions of the Deputy Chairman of the Committee is I'm sure all Members will respect, is to handle all Committees as a Whole in the chair. It is within the power of the Speaker to appoint any person in resolving in the Committee of the Whole in the absence of the Deputy Chairman of the Committee, but however, I only ask for your guidance in this matter, in that we can find someone, a Member of Council to fill this function. And if it's your wish that I appoint when we do go into Committee at any time would I appoint a Deputy Chairman, this would be fine. I only seek your direction.

Mr. Tanner: Mr. Speaker, perhaps you'd take into consideration that decision that wouldn't have to be made today. Perhaps we could leave it for a day following and consider it then.

Mr. Speaker: Would Committee agree to this proposal?

Agreed.

Mr. Speaker: Fine. What is your further pleasure? Having concluded our business herefore, I shall announce that Council stands adjourned until 10:00 a.m. tomorrow morning.

Mr. Tanner: Mr. Speaker, on a point of order.

Mr. Speaker: Point of order denied

ADJOURNED

Thursday, February 14, 1974
10:00 a.m.

Mr. Speaker reads the daily prayer.

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

Madam Clerk: There is, Mr. Speaker.

Mr. Speaker: We will now call Council to order.

Mr. Chamberlist: Mr. Speaker, I have the right on a question of privilege at this time. I wonder if, Mr. Speaker can indicate whether or not he is able to proceed with the business of the House without a member acting as Deputy Chairman?

Mr. Speaker: It is my intention at this point to bring to the attention of the Honourable Members the fact that we do not have at this time a Deputy Speaker in the form of a Deputy Chairman of Committee and in order for the House to function, one Member from among the Members would have to accept this position. I am wondering now if there is any Member who would kindly accept the position of Deputy Chairman of this House.

The Chair has received no indication that any Member wishes to accept this responsibility and having twice called for a Member, and receiving none, it would be my duty at this time to adjourn the House to give the Members an opportunity to consider this question. I will adjourn this House until two o'clock this afternoon at which time the Chair would most appreciate a nominee or a volunteer for this important function of the House.

ADJOURNED.

2:00 p.m.

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

Madam Clerk: There is, Mr. Speaker.

Mr. Speaker: I will now call this House to order. During the course of the adjournment from this morning I received a piece of correspondence which reads as follows: "The apparent impasse which occurred in the House today caused me great concern, particularly since I had formerly been Deputy Chairman of Committee. If I can have your personal assurance that it is within the Rules of the House that while I am acting as Deputy Speaker (but not as Chairman of Committees) even at a point in time when a vote is called for, I be permitted to return the Chair to you and you will accept the Chair at that time from me, I will be prepared to offer my name for nomination by you as Acting Deputy Speaker. It is, however, to be understood, that this arrangement will only cover the period of this particular session of Council. I would be grateful if you would give me this assurance while sitting in the Chair, yours sincerely, M.G. Stutter, Member for Dawson City."

I am pleased to receive from the Honourable Member the communication he has forwarded to the Chair. I am a little distressed that the impartiality of the Chair could come under question, however, I think that the question on impartiality is a very important one in this House and I would like to just briefly state from Beauchesne some references on this particular subject and the duties of the Speaker.

DUTIES OF THE SPEAKER

The chief characteristics attaching to the office of the Speaker are authority and impartiality, and I think that has got to be made abundantly clear to all Members irrespective of anything done by a Member who is serving as Speaker or who is serving as Deputy Speaker or who, indeed, is serving as Deputy Chairman of Committee while in the Chair or in the House or in the Committees of the House, impartiality has got to be maintained. The symbol of his authority - the Mace. It is borne before him by the Sergeant-at-Arms when entering or leaving the Chamber and upon state occasions. Confidence in the impartiality of the Speaker is an indispensable condition of the working of procedure, and many conventions exist which have as their object not only to ensure the impartiality of the Speaker but also to ensure that his impartiality is generally recognized. The duties of the Speaker are as various as they are important. He presides over the deliberations of the House, and enforces the observance of all rules for preserving order in its proceedings; he puts every question and declares the determination of the House. As "mouth of the House" he communicates its censures, its reprimands or its admonitions. He issues warrants to execute the issue of writs, for the attendance of witnesses in custody, for the bringing up prisoners in custody, and giving effect to other orders requiring the sanction of a legal form. He is, in fact, the representative of the House itself, in its power, its proceeding and its dignity.

FUNCTIONS OF THE HOUSE

Now, another question has arisen on which I would like to comment upon. It has been suggested that there have been repeated motives or invitations to restricted practices in the House and I would like to draw to your attention to annotation 119 (1) of Beauchesne. "One of the main functions of the House consists in debating public issues, a function which can only be fulfilled by complete freedom of speech. There will always be contests between groups and parties, minority and majority, and, in the debates that follow, the rules of procedure are all-important. Delays, multiplicity of amendments and even obstruction must not always be regarded as illegitimate political weapons. Rules of absolute rigidity have no place in the House. The United Kingdom House has gone further than us in modernizing some of its rules. Although we may take a leaf out of its book, we have developed a parliamentary practice of our own, based on British principles and yet clearly Canadian. While we appreciate the long experience of the United Kingdom House and seek to profit therefrom, we are the absolute and independent masters of our own procedure in accordance with our circumstances and our needs"

The mere objective of shortening sessions, may lead to an undue curtailment of freedom of speech. The duties of a representative Parliament are too important to be performed in a hurry. No question should be decided until it has been fully discussed, although some effort ought to be made to economize time every shade of opinion has the right to find expression. Members who desire to give their views should not be prevented from doing so. Canada is a vast country, extending from the Atlantic to the Pacific Ocean. The problems of the west are not the point. The viewpoints of Members of Parliament of British Columbia and the Prairie Provinces differs from those of Ontario. Ontario differs from Quebec, Quebec from the Maritime Provinces. For this reason, debates in the House are necessarily lengthy. A two-month session, if it is mismanaged, is more wasteful of time than a six-month session during which no time has been lost. Debates have to be free

and they must also be relevant. In Parliament every corner of the country is represented and no rule should silence elected representatives when they think they have a message to deliver. Freedom of speech is a sacred principle and if there is a place where it should be fully respected that place is the Parliament of the nation and it is the Speaker's responsibility to see that this principle is not infringed upon."

I would like to bring these annotations to your attention because I think they are important in light of the events that have occurred and may occur in the future. I would like to say, in the absence of the Speaker that in conducting the duties of the Speaker, I respect those wishes and as Chairman of the House at this time, I will respect them in the truest Parliamentary tradition. I, therefore, would offer the Honourable Member from Dawson, my assurances that at no time would I leave him, in his duties as a Deputy Speaker would be in the House. While in the Chair, the only place when he would be compelled to take the Chair would be when in Committee of the Whole.

At this time I am wondering if any Members here would care to act upon the communication read to you from the Chair from Councillor Stutter.

Mr. McKinnon: Mr. Speaker, I would like to rise on what I feel to be a very important question of privilege arising out of the communication you received from the Honourable Member from Dawson City. I think that all Members realize because of the limitations of seven Members of the House, the Rules of this House vary distinctly from the Parliament of Great Britain and the Parliament of Canada and that is where in Section 5 of our Rules that Mr. Speaker may take part in any debate before the Council, and if Mr. Speaker shall take part in any such debate, he shall direct the Deputy Speaker to take the Chair and shall speak from his place in the Council. And if Mr. Speaker has spoken in such debate, he shall resume the Chair. In the case of inequality of voices Mr. Speaker gives the casting vote and any reasons stated by him are entered in the Votes and Proceedings. But all Members realize this was necessary in order that Mr. Speaker be able to represent his constituents. If we were asking as the Parliament of Canada did or as the Provincial Legislature did then Mr. Speaker would be mute in anything dealing with his constituency and we felt that this just wouldn't be fair to put such restrictions on Mr. Speaker. I'm very concerned about the restrictions that are put on Mr. Speaker by the Communication received by Councillor Stutter. I do not believe there is any way this House can operate unless we are all convinced of the impartiality of Mr. Speaker. I think that over the years that there are many times and I feel that perhaps the vote of Mr. Speaker has gone against policy or gone against points that I was trying to raise in this House. Yet at no time have I not listened and at no time have I not accepted what Mr. Speaker has finally ruled. And even though I did disagree with some of those rules, that you found that I accepted as a rule for the Parliament to function. One must say there were no motives to be imputed to Mr. Speaker and you must go along with the impartiality of the Speaker or you have absolute chaos in this House. Now, Mr. Speaker, I have known you, I've served for three terms of Council with yourself; I have known you personally for some fifteen years and I would find it very distasteful for me to accept your acting as Speaker under restrictions placed upon you on, from the Members of this House which would seem to prejudge your impartiality. I believe in impartiality; I have no problem saying to any Member that I have not got together with Mr.

Speaker prior to this session and tried to make out some kind of a manoeuvre whereby people would be caught short in the House by manoeuvrings of the Chair. I would go further than that, I would say don't get assurances from Mr. Speaker, I'll give you the assurances. But if there is any manoeuvring done by the Speaker, which I know there won't be because as I've said, I have known him for so long and this I will be on your side because that's not the way that I play the game. You seek assurances from your fellow Members, I give you that assurance. Don't put that assurance or that onus on the impartiality of the Speaker because then what we are all saying is that we do not think that in the Chair as the presiding officer of this House, we have someone who will act on an impartial basis and if we lose that principle then I don't think we have any business sitting here at all.

Mr. Stutter: Mr. Speaker, perhaps the Honourable Member from Whitehorse West has read into the letter something that I don't believe is there. It certainly was not my intention at all to request limitations to be made on the part of the Speaker. This is the whole point of me putting this letter forward. It was in order to enable you, Mr. Speaker, to take part in any debate and I am quite willing to take your Chair during your participation in any debate.

Mrs. Watson: Mr. Speaker, I also feel that the intent of the letter was not to criticize the impartiality of the Speaker but to assure the Member who is acting as the Deputy Speaker that he would also have an opportunity to participate in any debate in the House. There is one point that I would like to bring up this afternoon and over the past two days we have heard some very sly references to the Speaker of this House who is absent because he is ill. Now, I rather resent these references. Our Speaker, Mr. Rivett I believe has endeavoured to do a fine job. He probably hasn't had the experience that some of the other Members of this House have had but I think he should be commended. Many times he sat in that Chair, felt very unsure of himself, but did the best job that he was capable of doing. Now he is in the hospital, extremely ill and it was only upon our urging that Speaker Rivett went into the hospital. He wanted to, he insisted on being here so that he could take his place in the Chair. We realize that our position in the House was in jeopardy with Speaker Rivett in the hospital but we insisted and I think this is something that should be noted in this House. That he wanted, until the last minute, to take his position in the House and I don't think we should speak in a derogatory manner when we are speaking of the Speaker of the House.

Mr. Speaker: I would like to say at this juncture in discussing this question of privilege that the Chair is not aware of any allegations concerning him. If there have been any allegations ... I am sure the Chair will agree with the comments made by the Member.

Mrs. Watson: Thank you.

Mr. Speaker: Councillor Chamberlist.

Mr. Chamberlist: Mr. Speaker, I would like to reiterate what you said yourself. I do not recall any derogatory remarks being made about Councillor Rivett as Speaker. On the contrary, I think we all admire him in many ways. Any suggestions that have been made or incantations that the suggestions have been made are without foundation. What I am concerned about, Mr. Speaker, is roughly, the function of the Speaker whoever it may be in the Chair, must be kept in such a way that he is not placed in the position

of accusations; of having to deny or accept accusations, and if the function of Mr. Speaker is quite impartial I have been in the position of having the Chair rule against me but I have accepted that in exactly the same way as other Members have. What I am concerned about though is that the letter that has been submitted by Councillor Stutter might indicate that he is prepared to accept the position as Deputy Speaker but as Deputy Speaker he would automatically become Chairman of the Committee and if a matter had to be discussed at Committee, he would not act as Chairman of the Committee. Now, if Mr. Speaker could request of the Member for Dawson whether this was his intention, perhaps he, the remarks might be different, because I think that Mr. Speaker, with respect, should make it clear to him. That as Deputy Speaker and if he did have to take the Chair and if we did go into Committee, he would have to take the Chair as Chairman of the Committee.

Mr. Speaker: I think it's in the letter that it is clear to the Chair if the Honourable Member, or some Honourable Members here would choose to make the appropriate motion, he would ask that Councillor Stutter, the Honourable Member from Dawson be appointed for this Session as Deputy Chairman of Committee. This was the motion and it would revolve around the other duties that follow on much as I had stated earlier - the question of impartiality and assurances that were requested. We're bound by the rules of the House; the rules enumerated, I believe, by the Honourable Member from Whitehorse West state clearly my position in this regard in any event.

Mrs. Watson: Mr. Speaker, since the intent and the integrity of Councillor Stutter has been questioned and the good will in his letter has been questioned, I would move that the Speaker appoint either Councillor Chamberlist or Councillor McKinnon to act in the capacity of Deputy Speaker and Chairman of Committees during this Session.

Mr. Chamberlist: I must rise again on a point of personal privilege. The imputation that the Councillor from Carmacks-Kluane has made is most incorrect. I am sure, that Mr. Speaker will recognize there has been no imputation made against Mr. Stutter's, Councillor Stutter's integrity. I have never, at any time suggested that there was any question of his integrity. There might be by some other person at some time, but certainly, because I'm going to be completely involved in a debate and the whole area of Council, and the question has been called ... it seems obviously most improper to have the Member from Carmacks-Kluane come out with such a suggestion.

Mr. Speaker: I wonder, rather than have the question of privilege discussed relating to Councillor Stutter's communication if he would be amenable to accepting the position of Deputy Chairman. I would not like to see this develop into a debate because it would be contrary to the rules but I'm wondering if any Members would care to deal with this question...

Mr. Tanner: I would, since I haven't spoken to the point yet. I think all Members of this House and Mr. Speaker himself have got to be clear on the point that it was only Councillor Stutter that was asked; no other Member of this Council was asked and I don't see any reason at all why for example, Councillor McKinnon couldn't have been asked. If he wants to he can accept the responsibility of the Deputy Speaker. The reason of course why I can't accept it is

exactly the same as yours, Councillor Chamberlist, that I am obviously going to be involved in the debate and so is Councillor Watson. But there is a responsibility on all of us, Councillor Taylor, I beg your pardon, there is a responsibility on all of us to accept some responsibility for this House and I think Councillor McKinnon should indicate that he doesn't want to accept the Deputy Chair and if he does so indicate, then I would move the motion that he has suggested.

Mr. McKinnon: Mr. Speaker, you all know and all Members of Council know that I made my position clear at the beginning of this Council session when it appeared that I would be placed in the role of Her Majesty's loyal opposition to the government of the day. As I said at that time it was a role one could not fulfill if one is hampered by restrictions; by being placed on Committees of the House in a Deputy Speaker role; and, of course, my position hasn't changed at all and I think that over the course of the years of the life of this Council that even if Members didn't agree with some of the principles that I espoused in opposition that if I hadn't had the freedom and not been bound by the restrictions of being placed as Chairman of Committee or as Deputy Speaker or as Deputy Chairman of Committees, that the people would not have been as well served by having a member in opposition that was not hampered by the restrictions of office. I think of course that still holds true and thus Mr. Speaker, knowing your fairness, you wouldn't place me in this untenable position of being the Chairman of Committees.

Councillor Watson and Councillor Tanner seem to indicate that I am not going to be involved in the debate at all. I don't know where they arrived at this decision, but I can only tell them that I guess that they should be that lucky. At any rate, Mr. Speaker, I think the point is that I am trying to make; and if I didn't make it well enough for the House, I apologize. It seems to me that in the correspondence from Councillor Stutter that what is said is that Mr. Speaker may try and use his position of having a Deputy Speaker not to be in the Chair when a vote is called in the House. I am trying to make the point that knowing, Mr. Speaker, knowing the impartiality of the Chair, knowing that every Member has to have faith in the impartiality of the Chair that I don't believe for a moment Mr. Speaker will not be in the Chair when a vote is called in this House. I believe that we all know this and we don't have to put it in a piece of correspondence restricting and almost saying that he would not be this impartial. I go further than that. If Mr. Speaker were not prepared to take the Chair, this Member would do all in his power and vote along with Members who would agree with me that Mr. Speaker do resume the Chair which is his proper position for the vote. So, I think, Mr. Speaker, has fully indicated and realizes that when a vote is called in the House, he will be in his Chair. I go further than that. If Mr. Speaker tries to manoeuvre to have the Deputy Speaker in the Chair during a vote, which I know he won't do in the House, that I would be voting along with those people who wanted Mr. Speaker returned to the Chair. And if Mr. Speaker had wanted to use his position and wanted to be irresponsible the first moment this Council was called, he would have resigned as Deputy Speaker of this House which he didn't do. So we all know his intentions are most honourable and I think it is wrong for this House to put restrictions and limitations upon him because I know his impartiality and his fairness in this situation. I would just like to move that Councillor

Stutter be appointed as Deputy Speaker, Chairman of Committees, for this Session.

Mr. Chamberlist: I'll second that motion.

Mr. Speaker: Would not, in guiding the Member in forming his Motion, would you not refer to the Deputy Chairman of Committees which would be the proper form rather than the Deputy Speaker because a Deputy Speaker has already been elected? Is that agreed?

Mr. McKinnon: Mr. Speaker, I would move that Mr. Stutter, the Honourable Member from Dawson City, be appointed as Deputy Chairman of Committees for this Session.

Mr. Chamberlist: I second the Motion, Mr. Speaker.

Mr. Speaker: It has been moved by the Honourable Member from Whitehorse West and seconded by the Honourable Member from Whitehorse East that Councillor Stutter be appointed as Deputy Chairman of Committees for this Session. Are you prepared for the question? Are you agreed? Are there any contrary? I should declare the motion carried and so ordered.

MOTION CARRIED

Mr. Chamberlist: Mr. Speaker, I rise on a point of privilege here. Mr. Speaker, I consider it my duty as a Member of this House, to bring to the attention of all Members what I believe to be a breach of ethics by the Member from the Carmacks-Kluane constituency. Councillor Watson has conducted herself with gross impropriety by using her position as a Member of this Council and of the Executive Committee in such a manner as to increase the value of her personal and family land holdings in the Haines Junction area. And because, Mr. Speaker, a Notice to adjourn this House is proper at all times, I would move that this House adjourn for the purpose of discussing the matter which brings into question the conduct of a Member of this House. The matter involves the conduct of Councillor Watson and her pecuniary interests in real property in the Haines Junction area. And with respect, Mr. Speaker I am sure you are aware of it but I will bring it to your attention, our Rule No. 19, which is Standing Order 30, which deals with this matter where a question involves a Member and the conduct of the Member that she should be asked to make a statement and withdraw from the House. It is seconded by Councillor McKinnon.

Mr. Speaker: The matter raised by the Honourable Member is a matter of very serious consequence. Rule 19 states, "If anything shall come in question touching the conduct of any Member or his election or his right to hold his seat, he may make a statement and shall withdraw from the debate." It is not clear to me, at this point in time, as to how we may proceed on such a Motion as you presented. I would think I would recess Council, with the concurrence of Council, for a few moments while I consider this question.

Some Honourable Members: Agreed.

Mr. Speaker: Council stands in recess.

RECESS

Mr. Speaker: At this time I will call Committee to order. This is a very serious matter affecting the allegation, affecting a Member of the Council, has been brought to the attention of Council and the Chair has been somewhat distressed in knowing the most fair way of conducting the procedure. I would first like to draw the attention of Members to the allegation. It has been stated from the Honourable Member from Whitehorse East that he believes a breach of ethics has been perpetrated by the Honourable Member from Carmacks-Kluane. The feeling that she has conducted herself with gross impropriety by using her position as Member of the Council, and of the Executive Committee in such a manner as to increase the value of her personal and family life in the Haines Junction area. There will be further allegations that the matter involves the conduct of Councillor Watson and her further pecuniary interest in real property in the Haines Junction area. In this serious matter we are guided by the rule of the House under Rule 19. "If anything shall come in question touching the conduct of any member, or his election, or his right to hold his seat, he may make a statement and shall withdraw from the debate." Before I ask for this statement, I would like to remind Council in keeping with much of what I was speaking of this morning, in defining some sections of Beaulieu, that we have a large period wherein the interests of the Member, the Honourable Member from Carmacks-Kluane, the matter must be resolved by the Members of the House of themselves. I think that I would, and the House would agree when I say, that in no way should the Member be held to public review until the allegations have been satisfactorily shown to the members themselves in private sitting. It is not normal that parliament sit without the public being present, however, exceptions are made. It is my hope that one would not infer that these are secret sessions. These sessions are called in such cases as we are presented with today, when a Member's conduct is in question, in order to protect that Member, again from public abuse when possibly the allegation may or may not be true. So I will ask the Member at this time, if she has a statement, would rise and give her statement. According to rules she must withdraw at which time it will be my intention as your Speaker to adjourn this House, to clear the galleries in order that the Members informally can sit down and both look into this matter and also advise the Chair of their decision and of the ways in which they may wish to proceed in this matter.

Mrs. Watson: Thank you Mr. Speaker. Last October when I brought the motions before the House asking that Councillor Chamberlist be removed from the Executive Committee, when I spoke for my motion, I said that I seconded this motion with great misgiving. I didn't elaborate on my misgivings at this time, but maybe I should clarify them this time. My misgivings at that time were really knowing the character of the person I was dealing with, for my own personal safety, physically. And the character of my family and myself would be in jeopardy from that time forward. My misgivings and my suspicions have born true. Now I've listened to the allegations. I've racked my brain to see where my conduct has been such to put my position in this Council in ill-repute, and I am just not able to think of anything at all. Therefore I cannot defend my position. I cannot make any further statement. I have to know of what I am accused

and until I am aware of the allegations, the specific allegations, there is no further thing I can say to the Honourable Members.

Mr. Speaker: Before the Members withdraw I think that, I am in a very tough position, as your Speaker. I think that through prior usage in 1961, when such a question did arise, the House felt it much better to approach this question by going into a private session for Members to get together to discuss the allegations. At that time the Member was not present in the meeting. I would think that the Member, the Honourable Member from Carmacks-Kluane must by the rules withdraw from the House. This is why I think that she should be entitled to be present at the meetings, the private meeting of all Members of the House to answer any questions which might arise from Members in relation to allegation. I would think the House as a group would agree at this time. However, there is no opportunity to debate this question at this time. So it would be my intention, to be as abundantly fair as possible, to suggest that the Members may wish to invite the Honourable Member from Carmacks-Kluane to attend these discussions relating to this allegation.

Mr. Chamberlist: With respect Mr. Speaker, I am sure Mr. Speaker is well aware that when a question of this nature comes up the Member who is being questioned, whose conduct has come to question, is not permitted to participate in the debate. And I would ask Mr. Speaker to take notice of that. After there has been discussion and any Member wishes to ask questions of Councillor Watson, I see know reason why they should not be asked for clarification. I simply say, notwithstanding what Councillor Watson has said, that I do not bring this matter forward with any other purpose. But that I feel it is my duty under the circumstances. I will explain once we have our discussion of this in private, Mr. Speaker.

Mr. Speaker: Just for the clarification for the Honourable Member who has just spoken. Rule 19 precluded that the Honourable Member for Carmacks-Kluane, in this particular case, will not be permitted to be in any debates. There are no debates when the House is adjourned. It will be my intention to adjourn the House in order that we may sit in private committee to discuss this matter. This does not preclude the Honourable Member from sitting in that committee.

Mr. Stutter: Mr. Speaker, surely a Member as well versed in the judicial practices in the law as the Member from Whitehorse East is, isn't about to suggest that a witness is not, or has not any opportunity to reply to the allegations that are to be made against her. For my part, I would certainly want to invite her right here and now. Certainly, that Councillor Watson be invited to that private meeting so that we can have all the evidence put before us and come up with a sound judgement rather than a one-sided one.

Mr. Chamberlist: I have no objection Mr. Speaker, to that at all. I am just simply saying that if there is to be a debate within the Committee, your Honour is deciding the House split up. She should not participate in that debate, but only answer questions that are put to her.

Mr. Speaker: I think it has been ruled by judiciary in other cases that they didn't really have any right to interfere in our own affairs. In that we all are aware that we have the right to rule our own conduct and our own

membership within the House. As I say it is a very difficult question and I think that having assembled, an assemblance of all the members of the House, I would be best guided by the directions of the House, and I think at that time, any further course of action, and I would be more than pleased.

Mr. Tanner: Mr. Speaker, there are two points that I would like to clarify, because I haven't been through this experience before, and God forbid we have to go through it again Mr. Speaker. Two things Mr. Speaker, if we adjourn and go into a Caucus meeting, so to speak, or a private meeting, does the Speaker sit as Chairman and does he control this meeting. And number, two, is it the Chairman's, is it the Speaker's suggestion, that the Legal Advisor can be in that meeting so that he can give us some legal point of view.

Mr. Speaker: It would be my suggestion that members would first meet in private among themselves, and decide upon whether or not they wish me to Chair the formal committee, and how you wish to proceed with the matter at that time. I am guided and directed by the Members of themselves.

Mr. Tanner: Mr. Chairman, I would be prepared to listen to Councillor McKinnon's suggestion in this matter because he has had this experience once before. But I would like to formalize, if it is possible, who is in charge of that meeting, of this House when we get out of the House. And who is in charge of the meeting outside of the House now, because I've been with the Honourable Members in informal meetings before and they are a complete farce.

Mr. Speaker: However, if it is the wish of the House, I will be more than pleased to Chair that meeting.

Mr. McKinnon: Mr. Speaker, I was just trying to seek direction of the Chair, whether we were bound by rules to hold these meetings and the session in private, or whether it can be the wish of the Council either by majority vote or unanimous vote, to hold the meeting open to the public? I'm not too happy about private meetings, or private sessions, private committee meetings of the Council. I would much rather do it in the open because it seems to me that if the Honourable Member from Whitehorse East has a case against the Honourable Member from Carmacks-Kluane, that the public should be in full view of the facts. If he is just attempting to waste the time in a personal vendetta against the Honourable Member, we are not bound by our rules to do anything in secrecy. I have several alternatives, well not several, I have a couple of alternatives to suggest to the House. One is the alternative I have suggested. Normally, in a provincial legislature, there is a Standing Committee of the House on privileges and elections. When such an allegation has put into question the conduct of a member of the House, the matter is immediately referred to the Standing Committee on privileges and elections to hear the case. And that is generally heard in public. But I was thinking, out of courtesy to the Honourable Member, I was suggesting that inasmuch that we debate the issue in the House in public, the Member is not permitted to take part in the debate and it is not possible for her to be here. Considering this question, would allow her questions of Members. I am to be guided only by the wishes of the House.

I have only offered this approach as I thought it best to all the members. However, I can be guided by the House in this question. But you must remember that the Honourable Member must withdraw and cannot engage in any debate on this subject until the matter has been resolved.

Mr. Chamberlist: Mr. Speaker I would like to make my position much, much clearer. I feel as mover of this motion that the interest of the public at large, must be also maintained by this Council. I would prefer that this be discussed in public, so that the case that I have, and I will show in fact, is a prima facie case of wrong-doing. And I would much prefer Mr. Speaker, and I support the Honourable Member from Whitehorse West in his remarks that the discussion be in public. So that the public can know whether or not what I am to bring forward is frivolous or otherwise.

Mr. McKinnon: Mr. Speaker, in this regards, my wishes will be bound by what the Honourable Member for Carmacks-Kluane wants, because the allegations have been made against the Honourable Member from Carmacks-Kluane. If she would prefer to debate in public, fine. If she would prefer to debate in closed session, that's fine by me also. It is also fine whatever the majority of Council decides, and what Mr. Speaker decides after hearing the majority of wishes from members present.

Mr. Speaker: Just before the Chair recognizes Honourable Member for Dawson, in compliance with the Honourable Member is, of course, entitled to make a statement, which she has made, and is supposed to have withdrawn. We are relaxing the rules to this extent. But, I am wondering would the Honourable Member care to indicate as to her purpose in this regard, as to outlined by the Honourable Member for Whitehorse West.

Mr. Tanner: Mr. Chairman I think you are putting her in a terrible position asking her that question.

Mr. Speaker: Alright, I will withdraw that.

Mr. Stutter: Mr. Speaker, one moment ago you yourself stated that even if it were the wish to discuss this thing in public, that the Honourable Member from Carmacks-Kluane was not able by our rules to be part of that debate. But surely this House makes its own rules. And I think that if Mrs. Watson were given the opportunity to participate or to take part in the debate even if it were in public, this surely would influence her decision whether or not to hold it in public.

Mr. Speaker: This is true. The only way this could be changed is by formal motion of the House to amend the Rules of the House to permit this. This is not permitted under the rule 19. I suggest to you that the proposal I have made to you from the Chair, to sit down in private committee, I think that possibly at that point we could resolve how best we continue in this matter. This would permit the Honourable Member to be present if the committee so desires, but as I say the Honourable Member can not be present under existing rules as we stand in public.

Mr. McKinnon: Mr. Speaker I find this matter so important, that I think that I would have no objections at all if the Honourable Member of Dawson, and Member from Whitehorse North and Honourable Member from Carmacks-Kluane wanted to caucus to decide which way they felt

Council could approach this rather distasteful matter. And if it meant bringing in a motion to be able to amend the rules to allow for participation and to allow the presence of the Honourable Member of Carmack-Kluane in Council, I think that they would be able to carry on today on such a motion to amend the rules. If they decide it in the way Mr. Speaker has suggested then of course that will be their prerogative also. But the majority they have, and I would not want to rush them into a position at this moment, sitting in open Council, and I would have no objection whatsoever if they would prefer to adjourn to decide what course of action they would like to follow in this instance.

Mr. Chamberlist: But there is only one point Mr. Speaker, that is raised here I would not object to if this is what we decided. One point I will stress though, not withstanding what the discussions are, that when it comes to any vote in the House on this particular matter, whatever the Council decides, then the Member for Carmacks-Kluane, cannot vote. Now there is a difference in participating in debate and I would approve of that and support that, But in the discussion that is to be provoked, we would have to abide by the rules in that particular area. Perhaps the Honourable Member for Whitehorse West would agree with me on that particular point.

Mr. Speaker: Well I think that this would have to be a decision of that committee at that time, no matter whatever form that committee has constituted or otherwise. I think that at this time we must come to a decision. Is it your wish that there be caucus at this time?

Mr. Tanner: Mr. Speaker, I think that the suggestion from the Member from Whitehorse West is a credit to him and I appreciate it, and I think Councillor Stutter knows what he did. I would ask for the House to adjourn for a half an hour Mr. Speaker, so that we can discuss it. It is a very very serious matter and I think that it needs a change of rules or whatever it needs to discuss it. I think we should give the Honourable Member from Carmacks-Kluane that opportunity.

Mr. Speaker: Is Council agreed?

AGREED

Mr. Speaker: I think then, at this time we must first of all, we must ask the Member to withdraw.

Mr. Chamberlist: Perhaps the Members would like time, Mr. Speaker, till tomorrow morning at 10:00 o'clock. I'm quite prepared to give them all the time they want.

Mr. Tanner: Mr. Speaker, I think, Mr. Speaker if I might, I think this decision should be made which would be having time open, we might even have to go into tonight.

Mr. Speaker: Order please.

Mr. Speaker: Madam Clerk, would you, prior to adjournment, would you have the galleries cleared and the recording room cleared of all persons following adjournment and at this time I will adjourn Council until 4:30.

ADJOURNED

Mr. Speaker: Is there a quorum present?

Madam Clerk: There is Mr. Speaker.

Mr. Speaker: I will now call Council to order.

Mr. Speaker: Prior to our adjournment earlier this afternoon, there was a Motion proposed to the House. It was moved by Councillor Chamberlist, seconded by Councillor McKinnon, that this House adjourn for the purpose of discussing a matter which brings into question the conduct of a Member of this House. Are you prepared for the question?

QUESTION

AGREED.

MOTION CARRIED

Mr. Speaker: Council now stands adjourned until 10:00 a.m. tomorrow morning.

ADJOURNED

February 15, 1974
10:00 a.m.

Mr. Speaker reads the daily prayer.

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

Madam Clerk: There is, Mr. Speaker.

Mr. Speaker: I will now call Council to order.

Mr. Chamberlist: Mr. Speaker, I rise now on a personal privilege. Mr. Speaker, yesterday in a statement made by Councillor Watson there were some innuendos within that statement that I feel I should rebut very clearly. Mr. Speaker, firstly I would indicate that Councillor Watson said this, and I repeat, "Last October when I brought the motions before the House asking that Councillor Chamberlist be removed from the Executive Committee, when I spoke for my motion, I said that I seconded this motion with great misgivings." Obviously that statement in itself appears to be the twittering of a canary. Now, with respect, Mr. Speaker, when the words were used, "My misgivings at that time were really knowing the character of the person I was dealing with, for my own personal safety physically, and knowing the character of my family and myself would be in jeopardy from that time forward." These are the words specifically that I complained of, and Mr. Speaker, I want to say unequivocally and deny categorically that I have at any time ever threatened in any way the Member from Carmacks-Kluane, vis-a-vis her personal safety or made any suggestions that she would be physically attacked. I am not a Member of a Mafia or any group of that nature and at no time was there any suggestion that the character of her family or herself had been in question. Mr. Speaker, my whole point in bringing forward the matters that I did was as a matter of my responsibility as is indicated as a Member of this Council. When I say that this is a matter of personal privilege, I was faced with a very traumatic situation as a result of the statement that was made and I can only say that Mr. Speaker should indicate quite clearly that unless the Honourable Member can stand up and say that there has been any suggestion that she would be physically attacked by myself, then she should be reprimanded for using words of this description.

Mrs. Watson: Mr. Speaker, on a personal privilege I stated my misgivings at that time were knowing the character of the person that I was dealing with. This is the point that I am making. I ask all Honourable Members here to look at the Honourable Member across the table and not recognize the affinity of this Honourable Member to a vulture. I am sure that there could be physical violence from a person who froths at the mouth when they don't get their own way.

Mr. Speaker: Order. I know that personality conflicts do run very high and stresses are on all Members, but I think the points made by both Honourable Members have been made and I would suggest that we continue with the business of the day at this time.

Mr. Chamberlist: Mr. Speaker, with respect, I must rise again. I cannot accept, Mr. Speaker, the suggestion that any point of privilege has been made by the Honourable Member for... I really am sorry to say that "Honourable Member" but I say that because I am a Member of this House and we use that particular method of discussions with each other. I am concerned when the suggestion is made that she has been in fear of physical attack and I do not mind being referred to as a vulture because a vulture is

not even concerned with swallowing small canaries, so we will bypass that quite easily.

Mr. Tanner: Mr. Speaker, can we get on with the business of the House?

Mr. Speaker: Last evening before we rose we adjourned the House for the purpose of discussing a matter which brings into question the matter of the conduct of a Member of this House. Has the House any direction in this regard?

Mr. McKinnon: Mr. Speaker, I would like to move, seconded by the Honourable Member from Dawson, Mr. Stutter, that Mr. Speaker do now leave the Chair for the purpose of convening into Committee of the Whole to discuss the matter which brings into question the conduct of a Member of this House, and that such Member be permitted to fully participate in such debate. And that upon completion of such deliberations the Committee will meet in caucus and report its findings and recommendations to the House.

Speaking on the motion, Mr. Speaker, I think that it would be nice to think that these kinds of situations would only develop probably once in a lifetime of a politician. However, Yukon politics, being what they are, well, this doesn't happen to be the case. I think most members of the public and most Members of the Council are aware of the situation in 1961 dealing with the Honourable Member from Whitehorse East. I was a freshman Councillor at that time and I was very disturbed and quite alarmed at the Rules of the House, which I thought precluded what I would say, in a layman's terms, were common justice or natural justice being offered to the Honourable Member from Whitehorse East. At the time that the allegations were made the Honourable Member had to make a statement and withdraw from the House and was in no way involved in the deliberations or any of the debate. I thought, Mr. Speaker, thought recognizing that the rules were laid down, that perhaps different procedures should be followed so that we could all feel that all sides had been heard to the satisfaction of everyone. Under annotation Number 7 of Beauchesne, Mr. Speaker:

"Another collective right of the House is to settle its own procedure. This is such an obvious right - it has never been directly disputed - that it is unnecessary to enlarge upon it except to say that the House is not responsible to any external authority for following the rules it lays down for itself, but may depart from them at its own discretion."

Mr. Speaker, I feel that the rules under which the House operates in procedures of this type are not the rules that this House should be following. I do not feel that they allow the Member who has facts laid against them to have the proper opportunity to enter into debate. Last night the caucus met in this Council for nearly three hours, and I would like to personally compliment all members of the caucus for their attendance and their contribution. I think that everybody realized that feelings are running very high and yet a compromise was reached by all Members which I think is going to allow the business of this House to proceed in an orderly manner and for justice to be done in this area. Mr. Speaker, I think it is essential that this matter be settled before any other business of the House can be concluded. As long as this is hanging over the House it is just like a cloud hanging over all of us. If business of the House were to transpire between the time that a conclusion was made by Committee, I think that we might find ourselves in another position where acts that this House had done while this matter was being discussed could also be considered null and void. I would hate to see the House get

into any procedural hassle other than the ones that we are already involved in. What the motion does, Mr. Speaker, is ask for Committee to meet and that all sides of the question be presented and all Members be allowed full debate. Then following the well defined rules of jurisprudence this Committee would act as the jury to deliberate the facts that have come before the House and make its decision and report its findings and recommendations to Mr. Speaker. I think that over the thousands of years that the law has developed that this has proved to be an admirable system, and I think that is the system that we are trying to follow. We are masters of procedure, we do have control over Members of the House, but we have to come up with a way of finding the fairest way for all concerned in this very serious matter. I think we have done it, as I said before, and I would like to compliment all Members for their attendance and their contribution last night, and although I know that we are fairly fractured in our personal philosophies and our personal attitudes towards one another, I think that when the chips are really down, that all Members should be included. Thank you, Mr. Speaker.

Mr. Speaker: Is there any further discussion?

Mr. Tanner: Mr. Speaker, I have a couple of things to say. The Honourable Member who is presenting the motion has pointed out to the House that he took part in a similar proceeding, probably with not as much justice apparently as there is going to be this time, but he took part in a similar proceeding some ten years ago. He also mentioned that since that time both he and the Honourable Member from Whitehorse East, who was the person who was being charged at that time, have had an opportunity, but haven't taken it, to change the rules. So I would point out to all Members in respect to what happens this time, let us make it our business, let us make it the business of this House, that should such an occurrence arise again, that we will change the rules in such a way that justice will appear to be done and justice will be done. The other point I would like to make as far as the Member from Whitehorse West is concerned, is that because he took part in that previous kangaroo court, there is an obligation on him, more so than any other Member, except perhaps Mr. Speaker who was also there, to bend over backwards to make sure that justice will be done. I don't think I have to say this to the Honourable Member, but I am merely pointing out that the public might feel that politics are going to be played in the decision and I for one am not going to let them be played on my part, and I hope the Honourable Members will do the same. Thank you, Mr. Speaker.

Mr. Speaker: I think at this point I would caution the Members that I am attempting to exercise great latitude in the interests of fairness to the Council, but I don't think it is competent of a Member to comment on or impute the motives of another Member in the conduct in the House. Also, secondly, I believe a reference was just made to a decision of this House being a kangaroo court. That is also, and I am sure all Members will understand, contrary to the Rules of the House. I caution the Members to give some consideration to any allegations that they do make from time to time in this regard as they effect the House.

Mr. Tanner: Mr. Speaker, on a point of privilege, it is my opinion that what was done to Councillor Chamberlist in 1961 constituted what was not a kangaroo court. The man was railroaded and thank God that this House has seen the light not to do the same thing.

Mr. Speaker: The Honourable Member for Carmacks-Kluane.

Mrs. Watson: Mr. Speaker, maybe this House has seen the light, but I don't think they have seen enough of the light. While I am going to support the motion, because it is the only crumb that will be given to me and thank goodness for some Honourable Members that were present at that caucus last night that I am getting this crumb. I feel that the method of handling this situation is archaic. When your accusers, the people who bring in the motion and the seconds, are going to sit in judgement - they are going to be the judges of this case - this isn't justice or doesn't even appear to be justice. I hope, I have had the assurance of the Honourable Members, that I will be given an opportunity to prepare a rebuttal. At this stage of the game, people speak about my guilt, when the accused, I and the rest of the Members save one or possibly two, don't even know the essence of my guilt. And yet I am tagged with it, at this time. I don't think that the Honourable Members sit around here and complacently smile, some of them, patting themselves on the back for providing justice. Yesterday afternoon, I couldn't believe, really believe, that this was happening to me, in the Yukon Territory, in a free country. I thought I was in Russia.

Mr. Speaker: Any further debate? The Honourable Member from Whitehorse East.

Mr. Chamberlist: Mr. Speaker, I would first like to indicate my satisfaction at the very clear remarks that were made by the Honourable Member from Whitehorse West, and perhaps to some extent the thoughts that were given verbally by the Honourable Member from Whitehorse North with reference to a past situation. I have learned to accept and live with what has been done to me in the past, and I came back. What does disturb me is the two specific things. Firstly, I would say this and I think that all Members would agree with me, that no reference has been made as to guilt. I think that if the Votes and Proceedings of yesterday were read, there word "guilt" wasn't used at any time. I don't think that there is any suggestion being made in reference to the accused either. And it might be interesting, Mr. Speaker and all Members, to know that the privileges that are now being given to the Member from Carmacks-Kluane are the privileges that I recommended to the Committee that we do this. Now she left the room. She wasn't in the room. But perhaps it is better to let her know at this time so that she shouldn't appear to the public that it was anybody else but all of us, as a group, that decided she would be given those privileges. I might indicate, Mr. Speaker, that those privileges were given out of my suggestion. I want everybody to know that I will see that she gets every opportunity to prepare every rebuttal for any length of time to what I will have in the way of factual truth in dealing with this matter.

Mr. Speaker: Is there any further discussion?

Mr. McKinnon: Question.

Mr. Speaker: Are you prepared for the question? I should first read the motion from the Chair. It has been moved by the Honourable Member from Whitehorse West, 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 a matter which brings into question the conduct of a Member of this House and that such Member be permitted to fully participate in such debate,

and that upon completion of its deliberations, the Committee will meet in caucus and report its findings and recommendations to the House. Are you now prepared for the question? Are you agreed? Any contrary? The motion is carried.

MOTION CARRIED

Mr. Speaker: Councillor Stutter, the Honourable Member from Dawson, will now take the Chair in Committee of the Whole.

Mr. Chairman: I think that in light of the fact that the submission by Councillor Chamberlist is likely to take some time, I will declare a five minute recess at this point rather than breaking at a later time.

RECESS

Mr. Chairman: I will now call Committee back to order. I would like to point out to all Members that this Committee has been convened for the sole purpose of discussing a matter which brings into question the conduct of a Member of this House. I should also like to point out that in the Motion that was before the House this morning, it was agreed, by all Members, that there would be no vote taken in this Committee as to the outcome of the matter in question. This matter is being brought forward by Councillor Chamberlist. I would now like to ask Councillor Chamberlist to point out to Committee exactly what that matter is.

Mrs. Watson: Mr. Speaker, a point of privilege. Since I am being tried, there are two questions I have. A breach of the ethics, I would like to know if this House has a Code of Ethics. I have my own ethics, which I am sure are much more restrictive than any Code of Ethics this House would have, but I would like to know if this House has a Code of Ethics. I would also like to know from the Honourable Member who is laying the charge, what the charge is. Before he begins, what is the charge?

Mr. Chamberlist: Mr. Chairman, I have made my mind up that in presenting facts before this Committee it is my intention to be very impersonal in this matter. There will be, I can assure you, Members of this Committee, there will be no rancour in anything I say during this time. The facts that I will put forward will, in my opinion, and I hope to result in the opinion of Committee, substantiating what I say, will be clearly defining areas of where there has been a breach of ethics. All Members of Council, as Members of Council, have certain specific ethics that they must deal with, and must recognize. The Member for Carmacks-Kluane also is covered by a Code of Ethics as an Executive Committee Member. If I will be allowed to commence, Mr. Chairman, I will be pleased to unfold the whole situation in such a manner that it will make it very easy indeed for the Member of Carmacks-Kluane to clearly understand what I am alleging in the way of a breach of those ethics. If Mr. Chairman will allow me to continue in that way, then the position will become very clear.

Mr. Chairman: Councillor Watson

Mrs. Watson: Mr. Chairman, I am being tried. My accuser must say to me what he is specifically charging me with. I have to defend a charge and I don't think he should be allowed to proceed until he is prepared to say what that charge is so that I can, so I am given an opportunity to defend myself on the basis of that charge. Also, I am quite familiar with the Code of Ethics for the Executive Committee which is I am sure much more restrictive than the Code of Ethics for the Council, but I would like to know what are the Code of Ethics. You are just giving him free latitude to say anything he pleases ..."

Mr. Chairman: Order. Order, please. I think the Chair recognizes what has been put forward by the Member for Carmacks-Kluane and that is the matter, or the charges as they have been referred to, should at this time be put forward. I do not mean in detail. I mean exactly what the charges are.

Mr. Chamberlist: Mr. Chairman, when I rose yesterday, I said this, and I will repeat it, that statement that lays the basis for which I intend to bring forward for the facts. I think Members of Committee should become very suspicious now at the attempt of the Member for

Carmacks-Kluane not to bring out the evidence. Now I said that I consider it my duty as a Member of this House, to bring to the attention of all Members what I believe to be a breach of ethics. Now I must stop here and interject. It is because I believe what a breach of ethics as I am told I will be telling you what the breach of ethics is, by the Member for the Carmacks-Kluane constituency. I went on to say that Councillor Watson has conducted herself with gross impropriety by using her position as a Member of this Council and of the Executive Committee. Let me stop there and interject. I say that the Member has conducted herself with gross impropriety because having knowledge of what has been taking place and what is about to take place in the Haines Junction area, conducted herself with the knowledge of what is going to take place in the area in such manner that the increase in the value of land holdings held by her and members of her family, contrary to the Code of Ethics. This is the basis of this which will be clarified as we come along. I went on to say that such a manner to increase the value of her personal and family land holdings in the Haines Junction area, and surely to goodness, if this doesn't clearly delineate what the basis of the situation is, I don't know how I can make it any clearer until I am able to go to a step-by-step stage showing quite clearly what the situation is.

Mr. Chairman: Councillor Tanner

Mr. Tanner: May I ask the Member who just spoke if specifically he is saying using her position as a Member of this Council and of the Executive Committee in such a manner as to increase the value of her personal and family holdings in the Haines Junction area. Is that the charge?

Mr. Chamberlist: That is exactly it. This is what I said.

Mr. Tanner: Is there any, Mr. Chairman, is there any other charges? Is that it?

Mr. Chamberlist: That is just simply deals with this area. I will not go in way beyond any area at all. I am just dealing with the land holdings in the Haines Junction area and the evidence itself will show what I hope to. I am not going beyond that at all. I thought we had this position all clarified because I made it quite clear that on the basis of the attempt to argue around this position that was agreed in caucus yesterday. It seems to me that once more there is an attempt to break the faith we kept that we will deal with this matter this way. Now, if you want to play games, you will find me a past master. I will stay with the commitment that I made. That is to deal with this matter and allow the Member for Carmacks-Kluane to rebut in any way she wishes, to bring whatever evidence she wants, to do whatever she wants, to have whatever time she wants and I think I have gone far beyond the rules of the game. I have been completely flexible. I don't think, Mr. Chairman, there should be any further holdup but to allow me to continue with the submission.

Mr. Tanner: Mr. Chairman ...

Mr. Chairman: Order, please. Councillor Watson

Mrs. Watson: This is the charge, then. Using her position as a Member of this Council and a Member of the Executive Committee in such a manner to increase the value of her personal and family land holdings in the Haines Junction area.

Mr. Chamberlist: That is correct.

Mrs. Watson: That is the charge.

Mr. Chamberlist: That's right. I made it quite clear, Mr. Chairman.

Mr. Chairman: Order, please.

Mrs. Watson: I want that for the record.

Mr. Chairman: Let us get away from this across the Table discussion. Please address your remarks to the Chair.

Mr. Tanner: Mr. Chairman, I would make the comment that it is not an unreasonable request on the part of all Members of Committee, to ask of him. Even, for example, if you get a driving ticket, you are charged with a specific infraction of some law. I think that the Honourable Member has quite rightly established that this is what she is being charged with. I think it makes it quite clear and we can proceed from here if the Honourable Member from Whitehorse East has substantial evidence, I hope, then fine. Now we know where we stand.

Mr. Chairman: I think that I would have to rule from the Chair. Now that the charges have been made relatively clear as to what the narrow area which they are to be made, that we would have to clear further detail as to those charges that we have already agreed in caucus that Councillor Watson will be given ample opportunity to prepare her rebuttal. Obviously, she cannot prepare that rebuttal until she knows specifically what the charges are. At any time during this Committee Mrs. Watson wishes to gather this information, I would hope that she would make that wish known to the Chair. Councillor Chamberlist, would you now proceed.

Mr. Chamberlist: Mr. Chairman, the position as I see it, is very clear indeed. I see, first of all, a breach of ethics of a Member of this Council, ethics that whether they are written down, still exist in the breach of ethics under the Code of Ethics which both she and I received a copy of on November 17, 1970, which were passed by Motion as the Code of Ethics of the Executive Committee in this House. It was moved by myself and seconded by Councillor McKinnon and accepted unanimously by all Members for Council. I must say that I appreciate the assistance that I am getting from Whitehorse North because obviously he has taken the time to read and knows what I am talking about when it comes to a Code of Ethics which the Honourable Member for Carmacks-Kluane has indicated she doesn't know about. So that I can lay firstly a very firm superstructure for the situation, I would indicate, substructure, I beg your pardon for the situation, I would firstly like to indicate and this was overlooked, obviously and completely, that when I had resigned from the Executive Committee and made my statement I indicated that because of Councillor Watson's conduct, and my belief that she has betrayed her trust in the Executive Committee concept, as it exists. The position has been overlooked and overlooked quite clearly because I was very, very disturbed by a certain situation. It seems to me now, as a result, and I recall now mentioning my concern to Commissioner Smith and not thinking any more about it, that it may be that perhaps this is the background of what occurred and my resignation from the Executive Committee. Mr. Chairman, I am staying with the subject matter that lays a background.

Mr. Tanner: Could I ask a question please?

Mr. Chairman: Order, please, Order. Do you have a specific question, Councillor Tanner?

Mr. Tanner: Yes, Mr. Chairman, it is a matter of procedure. Does the Honourable Member have any objection to questions being asked as he goes along?

Mr. Chamberlist: I am afraid that that would be not satisfactory to me because I wouldn't want my line of thought interrupted, but I am prepared to answer any questions after I have made my submission.

Mr. Chairman: I would have to rule from the Chair that the submission be allowed to carry through to its natural end at that time, that the decision as to whether any questions are to be made to Mr. Chamberlist is made by Councillor Watson. If the point of the submission is made it is surely up to her if Committee is to be recessed while she gathers her rebuttal or whether in fact is to carry on for a question period beyond that submission. Councillor Chamberlist, will you proceed?

Mr. Chamberlist: I would refer to the Code of Ethics that is shown as a Possible Yukon Code as Appendix A to Sessional Paper 2, in the Fourth Session of 1970, which are incorporated in the Votes and Proceedings, Volume 1. The Code of Ethics that was approved by Council at that time was attached as an Appendix A to a letter addressed to Mrs. Watson and myself and I will read that Code out, because there are seven items:

CODE OF ETHICS FOR MEMBERS OF THE EXECUTIVE COMMITTEE:

Executive Members shall not:

1. Buy property or an interest therein for business purposes from the Territorial Government even though he himself does not set the price. Obviously this must exclude such common transactions as buying a bottle of liquor or a piece of property on which to build a house for one's own use;
2. Sell his own property to the Territorial Government or any of its agencies;
3. Administer or use the property of the Territorial Government or any of its agencies in such a way as to derive any profit or advantage for himself, his family, friends or associates; 4. and this is one of the items for which this specific information is being brought forward ...
4. Use information privy to the Administration in such a way as to make a profit for himself or his family, friends or associates; I will interject here to recognize that Councillor Watson is a member of the Administration, in that position of Executive Committee Member ...
5. Accept financial gifts or other inducements which could influence his judgement on any matter relating to his public responsibilities;
6. Appear before a board, agency or committee of the Council, or the Territorial Government on his own behalf or on the behalf of a member of the public except where agreed upon by the Executive Committee; and 7. and this is another of the areas which is a basis of what these charges are ...
7. Use information acquired as a result of membership on the Executive Committee for a period of at least two years after membership on the Committee ceases. A period of two years should be sufficient, but there may cases where a longer period should apply.

Sections 4 and 7, I say, are part of the area under which the allegations are based. Sessional Paper 2, page 4, which was accepted, there was a specific paragraph which reads as follows: "For anyone holding public office by election," and this is where the Council comes into play, "the most powerful sanction against taking personal advantage of his position is the fact that the officer must eventually face the electorate and give an accounting of himself. In the case of the Executive Committee in the Yukon, however, there remains the fact that the Council Members will be responsible to the Commissioner who must remain in a position, because of his accountability to the Minister, to ensure the integrity of his Administration."

Mr. Chamberlist: It goes on from there, but I think this is the first part. Sessional Paper 2, page 3: "It is a generally excepted principle that holders of Public Offices must so order their affairs that no serious conflict arises or appears to arise between their private interests and their public responsibility. Conflict of interest occurs when a public official's position, judgement or advice is governed or influenced by the possibility of personal gain or reward by virtue of his business connections, or financial involvement outside the public service or where there are circumstances which have the appearance of so doing. Conflicts of interest are infinitely various. It is reasonable to limit the breadth of the first to immediate pecuniary interest of a person or his family, friends or associates. While it is desirable to maintain maximum economic freedom for individuals holding

public office, experience has shown that some freedom must be curtailed if certain abuses, actual or imagined, are to be avoided. It is a principle of the Democratic Government, that the public official should not use his office for private gain. The public has the right to know that its interests will be protected. I have taken the trouble of searching Blacks Law Dictionary to give the interpretation of what is pecuniary. The meaning of the word pecuniary is taken from Blacks Law Dictionary means monetary, relating to money, financial consisting of money, or that which can be of value in money. When I made reference to landholdings & property, that can be valued in money. I ask Mr. Speaker, Mr. Chairman that we now refer to Motion 22 of the First Session of 1972. This was the motion dealing with National Parks. At that time Mr. Chairman, I did not know to what extent the Member from Carmacks-Kluane was involved with property holdings, and I seconded that motion. But it was during the Standing Committee of Indian Affairs and Northern Development, meeting informally in this House, that I made the remark (and there were Members in the public in the galleries at the time, and there were some of the Members here too) that had I have known of the family holding of property in that area, of Councillor Watson, I would not have supported the motion. Because of the specific areas that were involved in putting that motion forward, where Councillor Watson is a joint property owner and as a member of the family with considerable property in that area, ask specific questions to ascertain the position of property owners. That motion says this: It was moved and this was read by, as it was read by Mr. Speaker on page 794, Thursday March 16, 1972, and I've indicated and repeat the First Session.

Mr. Speaker, speaks: "It has been moved by Councillor Watson, seconded by Councillor Chamberlist that this Council endorse the proposal of the Honourable Jean Chretien, Minister of Indian Affairs and Northern Development, to establish a National Park in south western Yukon to be known as the Kluane National Park, and that this Council respectfully requests the Honourable Minister to 1." I will stop here and interject that this be listened to very carefully, because one will then see quite clearly, what I say is a question of personal interests which are involved. "1. make known to the Council the preliminary development plans as soon as possible;". Now one would wonder about the propriety of a person who is a property owner in a specific area, requesting even as a Member of Council, for the preliminary development plan. Surely it would be most ethical indeed if a Councillor has property not to move motion in this discription but obtain the information from her by the movement of another Member of that motion." 2. Make available to the Councillors as soon as possible the final development plan, at least in their general parameter;". I interject again here. Especially with the knowledge that the expansion at that time of the Haines Junction Area, as a Local Improvement District at large. One would wonder why there would be requests made to find out what was to take place in that particular area, so that those people who have got property in the area could know what to do about their properties, in regulating price structures at the value of their property in relationship to the possibility of the headquarters at L. I. D. expansion etc. taking place. "3. designate Haines Junction as a growth centre to take care of the anticipated population increase that will come as a consequence of the establishment of the National

Park;". I interject here. Surely there could be nothing but gross impropriety to ask, of a property owner, to ask of a specific area be treated as a growth centre, where values of property would be increased accordingly and where values of property in the whole area would be increased probably. This to me is a gross impropriety in itself. "4. use the experimental farm as the administrative headquarters for the Park;". I might say, and as I will show later, it will be shown that not very far from the experimental farm lie two lots owned by the family of Councillor Watson, in acreage which immediately places that acreage in a very valuable and increased property situation. Then the last one which I thought was most improper: "advise affected property owners of their status as promptly as possible." Now in bringing forward this motion, I say with the knowledge Councillor Watson had already had in Executive Committee from November 1970 to that date 1972, if I am unable to delineate at this time and Members know this, what knowledge came to us vis-a-vis for the proposed Kluane Park and the discussions that took place relating to property in area centres and growth centres and what the Executive Committee would want to do. Notwithstanding that, here there are questions being asked to do one thing only: to give information to a property owner who was involved with Council and the Executive Committee. These discussions then took place as far as that motion was concerned and these can be made reference to on pages 834 to 835 of the production of Volume 3 and of Volume 4, pages 1185 to 1191. Can it be said that there is no interest other than being a representative of a constituency. I have set a search of the Land Titles Office, and incidently I might say quite clearly, that its been assured that any body can make; and I have a receipt which I have paid for, to show that it is a, that I went as an ordinary person to examine the titles as anybody can do. I found considerable amount of property, registered in the names of Mrs. Watson's family. It would show quite clearly that Section 4 of the Code of Ethics for Members of the Executive Committee, has been breached by the knowledge that Councillor Watson has had. Obviously that she had information which was privilege to the Administration and that the profit which is referred to in the Code of Ethics, is a profit, by ways of increased value of property, as a result of that information. Now I find nothing wrong with people owning property; families owning property, sons, husbands, daughters, cousins, any relationship at all. There is nothing wrong at all with that. There is something wrong indeed I submit Mr.

Chairman, when a Member of a legislative body who is also a Member of an Executive Committee, of the Administration, having full knowledge of the benefits that will be derived by any person, by any property owner uses the position to advance and enhance the value of that property by certain acts. I say the acts are these: Bringing forward in this Council Chambers motions to ascertain and obtain from the Minister; and I would say done very surreptitiously because I say that if I would have known there would be no way myself seconding that vote. Indeed, if she had of warned me of her position, I would have advised her not to bring forward this rule. That the very fact that the information is being asked about property owners which she and her family are, shows a personal interest in whether or not valuation increases will take place. In this Mr. Chairman to have knowledge of proposals in what is taking place in the National Park area, and what was proposed, and what information that we, she and I as Executive Committee Members, had and then using that knowledge, this I say is most improper. I think that it should be recorded so that it is in the records, the following properties, that are listed in the name of the Waston family: Lot 19, Block 10 this is in the name of Mr. R. Watson (Ronald Crawford Watson) Lot 20, Block 10, in the same name, Lot 3, Block 3, Lot 4, Block 3, Lot 5, Block 3, all in the name of Ronald Crawford. And I will indicate that the Lot 4, Block 3 was registered in his name on the 5th of June 1971, just exactly two months after the first communication which essentially dealt with the National Park concept, in suggestions in the Haines Junction Area were discussed and brought forward. Lot 17 of Block 4 is registered in the joint name of Ronald Crawford Watson and Hilda Watson. A peculiar situation which I haven't been able to find why, is Lot 18, Block 4, that the name on the plan I have is Ron and Hilda Watson, but that the title shows its in the Crown; I make no issue on that because there are errors taken and errors made. But the plan does indicate that particular Lot is in the name of Ron and Hilda Watson. Lot 1 Block 15, Ronald Crawford Watson. The acreage to lots of acreage, Lot 60 shows no plan (51756 group A to Z): Lot 61 which is acreage, shown on the same plan, and in the name of Roderick A. Watson (Lot 23, group A to Z which was registered in 1972). I repeat I find nothing wrong with land ownership of any family and I want to make this position very clear: I repeat my concern is her position in relation to this particular situation.

We can now come to statements that have been made vis a vis the Local Improvement District, suggestions people opposed to the National Park which they are not and I don't think anybody is. And I want to make it quite clear that my opinion the proposed expansion of the LID showing the expansion of LID that surround the acreage lots which are in the name of the Watson family. And let me say that discussions on LID take place in the Executive Committee so that there can be no doubt that knowledge of the expansion, the proposed expansion and the proposed suggestions on the expansion of the LID were in the hands and the mind of Councillor Watson. Let there be no doubt that the, that although the approval of the LID is a matter for the public on a local level, I simply say that the encouragement of the LID area and the expansion of the LID area outside the acreage would place a suspicion on the situation itself.

Mr. Tanner: Would the Member allow a question?

Mr. Chairman: Is this a point of order or a point of privilege? I have already made the ruling this is a submission.

Mr. Chamberlist: Forgive me Mr. Chairman, I just lost my line of thought. The local of the parcelled lots in the name of Ronald Crawford Watson, who incidentally also is Chairman of the LID in that particular area, is in the avenue of proposed LID boundaries, so that one can see quite readily that information which has been privy to the Member for Carmacks-Kluane. It is certainly information that benefits and increases the value of the property holdings in that particular area. Now I have said and because that I want to state specifically with the allegations that I have made, I have said that I believe to be what is believed, to be what I believe to be a breach of ethics. Now I say that what has occurred in bringing forward the motion of that description in knowing full well and having knowledge of what was taking place and what was about to take place was a breach of ethics. Any nobody can say that this is a frivolous charge. Now I say that she has conducted herself with gross impropriety and there is no doubt in my mind that it is grossly improper to deal in any way and push in any way for things to take place as a property owner specifically saying that the property owner should be advised when actual affect she has an interest in those various properties. Now, as I said, my whole intention was to place before Council the facts of the situation as I see it. Now contrary to what some might think, I am not going to suggest, nor will I make a recommendation that Councillor Watson be expelled from Council because I am much more compassionate than she is or would like to be in a similar circumstance. But I think that the situation warrants certain disciplinary action. There are a number of ways, that although I wouldn't recommend that she be expelled, all of the ways of disciplining are open to Council to make that decision. She could have her seat declared vacant.

Mr. Chairman: Order please. I would like to point out from the Chair that this Committee has not yet reached a decision as to whether or not Councillor Watson has in fact violated anything so I think that it is a bit premature to start discussing disciplinary action.

Mr. Chamberlist: Mike, I feel that I should place before Committee - what are the alternatives if this Committee does decide.

Mr. Chairman: Once again from the Chair, I must point out that it is purely hypothetical and until we reach that point I will not or the Chair will not - -

Mr. Chamberlist: Alright, alright, I will abide by the Chairman's ruling on it. I'll put it this way, there are alternatives in which manner this can be dealt. It could be dealt with. If the allegations that I have put forth, which I believe have been clearly defined that show the pecuniary interest has been well founded. At that time, so as to allow Members who have indicated that they wish to question me, I will stop at this stage.

Chairman: Councillor Watson?

Mrs. Watson: Mr. Chairman, I am sure everybody in the House and the gallery are a little dissatisfied. They thought they were going to see a little dirt. Incidentally, Councillor Chamberlist, I believe you missed just a few.

Chairman: Address the Chair.

Mrs. Watson: No, I'm speaking to Councillor Chamberlist. I believe he missed just a few.

Chairman: Order please.

Mrs. Watson: I believe he missed two lots. There are two extra lots that you didn't list Councillor. I don't feel I am going to have very much trouble preparing a rebuttal to these allegations. There's just one thing that concerns me. Councillor Chamberlist is hiding behind the oath which you take when you are a Member on the Executive Committee and he seems to refer to information privy and his accusations about information that was privy to Executive Committee are going to be very difficult to rebut and I think this is a very dangerous area to be into, but I believe that I can also rebut that area too and I would like time to prepare my rebuttal to present before the Committee.

Mr. Chairman: I think its already been agreed by Committee that you will be given ample time. I would like to ask though from the Chair at this point whether Councillor Watson has any objection to questions that some of the other Committee Members might want to ask to Councillor Chamberlist on this particular subject or Councillor Watson for that matter.

Mrs. Watson: Mr. Chairman, I would not be prepared to answer any questions until I have my rebuttal prepared and then I would certainly be very happy to answer questions.

Mr. Chairman: Is it the wish of Committee then at this point that Mr. Speaker resume the Chair and we report progress on this particular - -

Mr. Tanner: Mr. Chairman, I think it was understood that we could ask questions of Councillor Chamberlist if any Member wanted to.

Mr. Chairman: Well that's entirely up to the wishes of the Committee and if this agreed by Committee. Are there any questions for Councillor Chamberlist?

Mr. Tanner: Yes Mr. Chairman, I've got a couple. The first one is - it's unclear to me when Councillor Chamberlist first began to become concerned. Could he be a little more specific as to the time that he had, there was concerns in his mind as to the interest that Mrs. Watson he says is indicated by his information. Specifically what time?

Mr. Chamberlist: If I recall, it was round about August when -

Mr. Tanner: August, what year?

Mr. Chamberlist: of last year, when some people living in the Haines Junction area complained about property valuations in the Watson Lake area, I beg your pardon, in the Haines Junction area and owned by Mrs. Watson being pushed up and because I don't take usually take notice of people that come with stories, I let the matter go by and I recall in a very informal conversation, making some reference to the Commissioner that words to the effect - "I hope Hilda is not getting herself into trouble", and it was left at that, that was the first information that I heard.

Mr. Tanner: Mr. Chairman, could I make the comment that at that time the Honourable Member from Whitehorse East was a Member of the Executive Committee and if he had any concerns at all in this matter that's the time he should have brought them up. Not subsequent to him being removed from Financial Advisory Comm, from Ex-Comm. From the Members of this great amount of work and it's well known that the Member does a lot of work, usually in a negative manner, but he's done a lot this time. Were any of the lots during this time bought from the government?

Mr. Chamberlist: I'm not concerned whether they were bought from the government a hundred years ago or whether they were bought from any private person. This is not my complaint that they were purchased from the government. If this is where, this is an attempt to confuse what is the issue. Now, I don't - -

Mr. Chairman: Order please.

Mr. Chamberlist: I don't mind having reference to the suggestion that the work that I do is in a negative way. I will allow the public at large to recognize the capabilities of the Member from Whitehorse North up against my capabilities and see how many minuses are attached to his and how many pluses are attached to me and I ask that we not get involved into any areas. I have kept my submission in a clean manner, but if the Honourable Member, Mr. Chairman, wants to open up attack he'll get it back.

Mr. Chairman: Order please. I would ask that the discussion be kept.

Mr. Tanner: Mr. Chairman, it was a simple question.

Mr. Chairman: Order please.

Mr. Chamberlist: Alright. It was very simple, from a simple person. Mr. - The position that I take is this. I have no concern about when the property was bought, how much property was bought, whether it was bought from the Crown Federal, whether it was bought from the Territory, this is not my concern. I'm not interested in any way. I haven't complained in that area. I'm simply dealing with the facts as they are and as I have already designated.

Mr. Tanner: Mr. Chairman, he hasn't answered the question.

Mr. Chairman: I wonder if you will put your question in the form of a question that's straight forward once again please.

Mr. Tanner: My question is to the Honourable Member's knowledge - Were any of these lots bought from any government?

Mr. Chamberlist: I haven't looked at it because there's no point in looking at it, that what I'm not concerned with.

Mr. Chairman: I wonder at this point Councillor Taylor you would take the Chair. I have a couple of questions that I would like to ask too.

All agreed.

Mr. Taylor: I would be glad to take the Chair.

Mr. Stutter: Councillor Chamberlist, I would like to ask, in your opinion, at what point do you see that there has been a breach in ethics. To begin with, was it the owning of the lots, was it the acquiring of lots after privy information, was it the proposed expansion of an LID to include lots that had previously been owned. Because if - I will let you answer that question first.

Mr. Chamberlist: Actually, there are a number of questions altogether. It's not just a case where you can give a clear and definitive answer when there are alternatives, when you say or this, or that, or the other. There is nothing definitive there and so I will have to answer in exactly the same manner in which the question is being put. I repeat, it matters not when the property was owned and there was no breach of ethics because of people owning property, none at all, no complaint. I say the breach of ethics firstly started when a motion was moved by Mrs. Watson asking specific questions that were dangerous to her as a property owner and a Member of Council and Executive Committee Member. This is where the impropriety is and this to me, is the basic area of the breach. Now, during the whole of the period, and I would say this much just because I make reference to it, there was one lot purchased by her husband and I indicated that lot number and perhaps because Mrs. Watson says that I have missed out some other lots, perhaps there might be other lots that have been purchased through her or through other people. But there is one that I have looked at and that was on the 5th of J, no 5th of June, '71 and as I have already said that there were, there was knowledge of what was to take place in the Klwane area and of course, and I find nothing wrong with her son buying acreage of land, young married man, I find nothing wrong with that at all - - - I find nothing wrong with that either. I'm simply saying that there was knowledge of these things taking place. Now, and of course, you note that that was on the 2nd of March, 1972 and the motion that was put, that I refer to you, was put on the 16th of March after that. Is there anything else that the Honourable Member would like me to answer Mr. Chairman?

Mr. Stutter: No, not at this point, I will resume the Chair.

Mr. McKinnon: Mr. Chairman, I'm just concerned with two questions and whether the Honourable Member from Whitehorse East is able to answer them now and I would like if Mrs., if the Honourable Member from Carmacks-Kluane would deal with them in any rebuttal that she prepared. It's the only area that gives me a little concern and I don't think it's reaching any privy information from the Executive Committee to make this knowledge to the public as I feel it's quite important to the disposition of this, these allegations and would be, when did the

Executive Committee first have knowledge of the National Park Proclamation? And the second, well it's pretty important and it's going to be pretty difficult to arrive at any decision without that information being laid before the Council. The second part of the question following from that information would be, were there any lots bought by the Watsons or their families from either government or private holdings immediately following that knowledge by the Executive Committee and before such knowledge was made public? To me they are extremely important questions and one that I am going to have difficulty dealing with the disposition of these charges that they are not made public and are not brought before Committee, Mr. Chairman.

Mr. Chamberlist: Mr. Chairman, I think also that because it comes into this area, added to that should be the question of the boundaries of the LID and what was proposed in increasing those boundaries to increase the value of the property within the LID.

Mr. Tanner: Mr. Chairman, on a point of order. The Honourable Member has pretty reasonably kept within the bounds of what we, what he was going to, but surely the LID is a local decision. It's made by the local people for the people living in that area. It's nothing to do with this.

Mr. Chamberlist: I would agree, Mr. Chairman, that the point of order that the Honourable Member has made, except for the fact that knowledge of the expansion of the LID and what was to take place had been discussed in Executive Committee. Now, I'm not going to say

Some Honourable Members objection.

Mr. Chairman: Order please. I must insist from the Chair that any Member wishing to make remarks, first seek recognition from the Chair.

Mr. Tanner: On the point of order. The Honourable Member is getting very damn close to bringing up privy information and he knows very well it is and we're all in a difficult position in this area, but he knows better than anybody that he does mention matters that came up in Ex-Com. in Executive Committee and he is getting very, very dangerously to revealing confidence and breaking his oath.

Chairman: Councillor Watson?

Mrs. Watson: Mr. Chairman, I would like to point out to you, to the Honourable Members here, he is making up privy information. This is the nature, he is making up present privy information.

Mr. Chamberlist: It's really a peculiar situation indeed, because I know that, if one could look back and deal with certain matters we'd all be much wiser. I agree with the Honourable Member next door. Because when we deal, when we say that things are privy and there's an oath, there was certain areas that you can go along with because here is a situation that Members are entitled to know. And this is the very thing that I am talking about. Look, yet when Councillor Watson has indicated well I'm safe because you know of Chamberlist, you can't say too much about it because what was done under oath. Now this is what is being attempted. I am satisfied as a result of enquiries that I had made, as to what level one can retain one's confidences, and when one can go beyond one's confidences for clarification. It seems to me that the only

way that the Member from Carmacks-Kluane could answer these allegations and I see quite clearly that if she can answer these allegations and show that she did not have any knowledge of anything that was taking place in the Haines Junction area. Now can she deny that she did not have knowledge. This is the key. If she says she did not have knowledge of anything that was taking place - pardon?

Mr. McKinnon: Using her knowledge.

Mr. Chamberlist: She has the knowledge and then use it, then that would be a different proposition. My submission has been made very, very clear. I just leave it entirely to Council to decide whether or not the allegations that I made that she did use the knowledge. It's as simple as that.

Mr. Chairman: If I may say from the Chair that the Chair finds itself in a rather difficult positionMembers of the Executive Committee are indicating that knowledge was put forward in Executive Committee which may influence the purchase of some of the land in the Haines Junction area. I think the two questions that have been put forward by Councillor McKinnon are extremely important but are going to have to be answered before this Committee will be able to reach any form of a decision at all. And whether the answering of those questions requires an oath of secrecy to be violated, I'm sure that this is something to be resolved in Administration. But nevertheless, I agree with Councillor McKinnon that they are indeed very important questions.

Mr. Chairman: Councillor Watson.

Councillor Watson: Mr. Chairman, I don't feel that I will have any problem at all rebutting and taking care of the questions. I feel quite confident that I could have a good and natural rebuttal to place before this Committee.

Mr. Chairman: I wonder if Councillor Watson, if you could give any indication as to the elected time you would require to put together a rebuttal?

Mrs. Watson: Mr. Chairman, I would have to have a transcript of the allegations that were made to me today and then I would have to have an opportunity to get some documents, personal documents that are at my home, so it may take a day or two. But I will let the Council know.

Mr. Chairman: I wonder again then, from the Chair, this would be - this work in Committee or rather progress as reported in this Committee we've already agreed that no further business would be carried on in this House until this question has been resolved. Normally Council would be sitting again at 2:00 p.m., I believe, on Monday in which instance we could report or receive a report on whether at that time or not you are ready to proceed.

Mr. McKinnon: Mr. Chairman, to simplify matters I think that probably Mr. Speaker could adjourn the House at the Speaker's pleasure. When it is made known to Mr. Speaker that we are ready to sit again that there is no problem at all in Mr. Speaker informing Members of the House as to the time and date of the next sitting.

Mr. Chamberlist: I want to say now that I am very surprised indeed that Mr. Legal Adviser is now giving legal advice to an individual Council Member. Now, I noticed Mr. Legal Adviser suggesting that certain legal procedure to take place. That is, to wait until the transcript.

This should be given to her in any case, but I'm just suggesting, Mr. Chairman, that Mr. Legal Adviser should recognize his impartiality in this area and to please not make comments while discussions are going on between Members in this House. I feel it's necessary for me to say this so that Members of this House will deal with this matter and just request advice from Mr. Legal Adviser when it is wanted, not that he is acting as a Judge Advocate.

Mr. Legal Adviser: Mr. Chairman, I arranged for transcripts to appear at this hearing at the earliest immediate time and it is currently being prepared. And I was suggesting, properly suggesting to Mrs. Watson that a transcript will be available for her in a very rapid space of time and I think I am entitled to that, as an officer of the House.

Mr. Chamberlist: Thank you, that's all I wanted to hear.

Mr. Chairman: Councillor Watson.

Mrs. Watson: Mr. Chairman, I would also like to reassure the Honourable Members that I will have my own legal advice.

Mr. Chairman: Order please. I think at this time then the Chair would entertain a motion to put Mr. Speaker back in the Chair.

Mr. Chamberlist: I move that the Speaker resume the Chair.

Mr. Tanner: I second it.

Mr. Chairman: It has been regularly moved by Councillor Chamberlist, seconded by Councillor Tanner that Mr. Speaker do now resume the Chair.

Are you prepared for the question?

All: Question.

Mr. Chairman: Are you agreed?

All: Agreed.

Mr. Chairman: I declare the motion carried.

MOTION CARRIED

Mr. Chairman: Mr. Speaker will now accept the Chair.

Mr. Speaker: May we have a report from the Chairman of Committee?

Mr. Chairman: Yes, Mr. Speaker. Committee convened at 10:45 a.m. for the purpose of discussing a matter which brings us to the question of the conduct of a Member of this House. This matter was discussed in Committee and I can report progress on it.

Mr. Speaker: You have heard the report of the Chairman of Committee. Are you agreed?

All: Agreed.

Mr. Speaker: What is your pleasure in respect of the agenda?

Mr. Chairman: Mr. Speaker, I think that it is the intention that the matter will be further pursued and that when the rebuttal has been prepared, that you Mr. Speaker, will be notified and requested to call the House back to order.

Mr. Speaker: Is this agreed with all Members?

All: Agreed.

Mr. Speaker: The general course of action to be followed in such circumstances would be in a motion to adjourn Council to the call of the Chair. It would be required in as much as otherwise we would have to sit at ten o'clock Monday morning. I leave it to your pleasure to propose any motion necessary in this respect.

Mr. Tanner: Mr. Speaker, I will make such a motion. I would move that Council be adjourned until.. to the call of the Speaker.

Mr. McKinnon: I'll second that one.

Mr. Speaker: Agreed?

All: Agreed.

Mr. Speaker: This Council now stands adjourned to the call of the Chair.

ADJOURNED

February 21, 1974
2:00 a.m.

Mr. Speaker reads the daily prayer.

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

Madam Clerk: There is, Mr. Speaker.

Mr. Speaker: I will now call this Council to order.

Mr. Chamberlist: Mr. Speaker, at this time I rise on a point of privilege. Mr. Speaker, two seemingly unrelated happenings occurred last week and I feel these happenings must be brought to the attention of this House. Last week, the Director of Territorial Affairs, Mr. Doug Davidson, arrived in Whitehorse last Monday with a team of Federal Government personnel and were met by the Assistant Commissioner, Mr. Miller and with the Acting Treasurer, discussed during the whole week the budget of 1974-75 and program forecasts for subsequent years. It has been brought to my attention that they used notes made in the invalidated first meetings of the Advisory Committee on Finance and also used portions of those minutes. This first part of these related happenings shows the utter contempt that the Commissioner, his two appointed representatives of the Executive Committee and, more tragic than ever, the elected people who have deliberately gone around the judgement of Mr. Justice Morrow. Mr. Speaker, just to make reference to the final words in the judgement: "I know of no reason to think that the Commissioner will disregard this my judgement". This, Mr. Speaker, I feel is important to this House to recognize that the senior administrative officers for the Executive of this Government are now attempting to rule in a totalitarian manner and dispensing with the only stop we have - the Courts, by interfering with the judgement of the Courts. The second related item Mr. Speaker, was of last week. The Salary Committee appointed by the Y.T.A. in accordance with Section 98(2) of the School Ordinance and the Advisory Committee on Education appointed pursuant to 98(3) of the School Ordinance, met for a period of five days and discontinued their meetings on Friday. Now to read into the record and Members of Council will readily follow, what indeed is the objections that I make and the point of privilege that I raise, is this. Subsection (3) of 98, reads as follows. "There shall be an Advisory Committee composed of not less than three and more than four members appointed by the Commissioner, one Member of which shall be a Member of the Council and appointed upon the recommendation of the Council." Councillor Rivett, who was appointed in that capacity, was ill and notwithstanding, these meetings went on. It has already been ruled, with respect Mr. Speaker, and I make reference again to the ruling of Mr. Justice Morrow: "It is common ground that the respondent Chamberlist had been improperly kept out of a series of meetings whereby the Commissioner has sought to provide for the consultation." He went on to indicate this. "In law there is a presumption that meetings are properly called and that their proceedings are lawful. But this presumption can be rebutted by clear evidence to the contrary. Courts over the years have been reluctant to interfere with the matters of procedure as laid down and followed by parliamentary type bodies such as we have here today. On the other hand, it is clear that if the breach in the procedure infringed the statutory duties then the Court should act." It makes it obvious, Mr. Speaker,

that the meetings that were held were invalid meetings and that the Y.T.A. were put to considerable expense in the amount of some thousands of dollars.

Now I refer to the key and the key is Section 98(4). Section 98(4) reads as follows. "Meetings of the Salary Committee and the Advisory Committee may be initiated by either Committee and shall be held at a time that will enable proper consideration to be given by the Commissioner before the preparation of the estimates for the succeeding year." As we all know the preparation for the estimates of the succeeding year were commenced with and were declared invalid. Then subsection (5) - "The Advisory Committee created under subsection (3) shall report to the Commissioner and the Advisory Committee on Finance of the Council." Mr. Speaker, it has been drawn to my attention that the Advisory Committee when they broke off, reported to the Commissioner and indeed to one Member of the Advisory Committee and that was Councillor Watson. It is obvious that another attempt is being made by the Commissioner and his Executive Committee to completely oppose what has been passed by law in this House. And I ask, Mr. Speaker, to take note so that we can see that from here on now, this Council must become firm and remain firm that the Commissioner and his people do not in any way attempt to override the functions of this House. Thankyou, Mr. Speaker.

Mr. Speaker: The Honourable Member from Carmacks-Kluane.

Mrs. Watson: A point of personal privilege. I wonder if the Honourable Member would repeat the allegations regarding the report that the Advisory Committee was supposed to have made to one Member of the Executive Committee.

Mr. Speaker: The Honourable Member from Whitehorse East.

Mr. Chamberlist: Mr. Speaker, it has been brought to my attention that after the break up of the meetings on Friday, two of the people who were on the government side of the Advisory Committee of Education, went into Mrs. Watson's office and discussed this matter with her. That is the information that I have. She is a Member of the Advisory Committee on Finance and therefore, what was reported to her, was not reported to the Advisory Committee on Finance. Now there can be no excuse, Mr. Speaker, with respect, because in the past few days there has been no reason at all why the Advisory Committee on Finance as it is constituted, could not have received the report because the Commissioner has already received a report on what took place at those meetings. Notwithstanding, as I have already said, they were invalid meetings because the recommendation of Council was that there should be a Member present at all times and there was no Member. Certainly, because Councillor Rivett was sick, there was ample time to ask Council to have an alternate in his place during that time. I'm simply pointing out the irregularities and the bungling that is taking place by the Commissioner and his colleagues.

Mr. Speaker: On the point of privilege. Rather than having this question become a matter of debate, I would perhaps suggest to the Honourable Members that if they wish to pursue this or other matters, they could more properly do so by putting the matter under notices of motion.

Mr. Speaker: Honourable Member from Carmacks-Kluane.

Mrs. Watson: I rise on personal privilege. The Honourable Member from Mayo, Mr. Rivett who is the member on the negotiating team, attended one of the meetings became ill. Up to this time we have had no resignation or no indication from the Councillor that he does not intend to resume his duties. And I think that we certainly should give him the opportunity to assess the state of his health before we jump and appoint someone to replace him.

Mr. Chamberlist: It is the matter of when the Honourable Member. With respect Mr. Speaker, you've indicated that you don't want it to go into debate and I abide by your ruling on this and it's quite proper too. It is not on a matter of personal privilege that the Honourable Member has stood and spoken; nor have I suggested that Councillor Rivett should resign. I'm simply saying that the procedure under which the Ordinance clearly defines the matter was not complied with. The point of privilege I make is that the Commissioner and his colleagues have deliberately disregarded the Ordinance as it is laid out - nothing further.

Mr. Speaker: Thank you. At the last sitting it was the agreement of the House that you wished to sit in Committee today. What is your pleasure in this respect?

Mr. Stutter: Mr. Speaker, I would move that Mr. Speaker could now leave the Chair and that Council be resolved into Committee of the Whole to discuss this matter.

Mr. Speaker: Is there a seconder?

Mr. Chamberlist: I'll second the motion
Mr. Speaker.

Mr. Speaker: It has been moved by the Honourable Member from Dawson seconded by the Honourable Member from Whitehorse East that Mr. Speaker do now leave the Chair and Council resolve into Committee of the Whole for the purpose of discussing I believe, the matter related to the conduct of a Member coming under question. Are you prepared for the question? Are you agreed? Are there any contrary? I shall declare the motion carried.

MOTION CARRIED

Mr. Chairman: I will now call Committee to order. As you all know, we are here to discuss the matter which brings into question the conduct of a Member of this House. When we last rose we had heard the submission from Councillor Chamberlist and we are gathered here today to hear the reply by Councillor Watson from Carmacks-Kluane. I would ask Committee's agreement in permitting Mrs. Watson to go all the way through her reply without any interruption as we did with Councillor Chamberlist, except of course, for points of order and privileges. Is the Committee agreed?

AGREED

Mr. Chairman: Councillor Watson.

Mrs. Watson: Thank you Mr. Chairman. I wonder if the Clerk would distribute some of the documents that I have.

Mr. Chairman, I'm charged with gross improprieties by using my position as a Member of the Council and the Executive Committee in such a manner as to increase the value of my personal and family holdings in the Haines Junction area and asked to answer this charge.

I quote the Honourable Member from Whitehorse East in this Council on February 15th last, when he said - "I want everybody to know that I will see that she gets every opportunity to prepare every rebuttal for any length of time, to what I will have in the way of factual truth in dealing with this matter." I have taken some time in contemplating how to present a rebuttal and the problem that kept recurring was - How do you answer a charge that poses no question at all? How do you rebut acrimonious insinuations which are not supported by fact or truth, but are totally unworthy of being used in any context or connotation including fact or truth?

I will deal firstly with the part of the charge that concerns alleged impropriety in increasing the value of my personal landholdings. The only truths presented by the Honourable Member from Whitehorse East was as follows: 1. I am a Member of Council and of the Executive Committee and therefore have privy information. 2. I am joint owner, along with my husband, of a lot on which our residential garage is located in Haines Junction, being Lot 17, Block 4, which was purchased in October of 1969. The size of this lot is approximately 50 feet by 100 feet. And the third truth is that I moved Motion #22 in this Council on March the 16th, 1972. There are no facts or evidence given which can be used in substantiation of that charge against me. And in fact, there are no other facts to be given in relation to the charge that my position or conduct has been used to increase the value of my personal landholdings - my personal landholdings of a share in a lot on which a garage is situated. Lot 17 in Block 4 is the only real estate in which I have any personal, legal, or equitable interest in Haines Junction. I have no legal or equitable claim whatsoever to any other properties referred to by the Honourable Member from Whitehorse East. No Member of this Council can find one iota of a suggestion of misconduct or impropriety on my part by having a joint interest in a lot on which a private garage is located as part of our personal residence. How any impropriety or misconduct can even be suggested concerning Motion #22 of March 16, 1972, as it applies to my personal landholdings is utterly incomprehensible. This part of the charge is frivolous, and I suggest, acrimonious and done deliberately to mislead this Council and the public.

I now deal with the charge concerning my family landholdings. I must reiterate what I previously said about the truth presented by the Honourable Member for Whitehorse East. At no time has there been any truth presented except as follows: a) I am a Member of Council and a Member of the Executive Committee and I have access to privy information. b) My husband has legal interest in parcels of land in the Haines Junction area which he has acquired over a period of eleven years. c) My son is the registered owner of four acres of land at mile 1017.5 of the Alaska Highway on which his personal residence is located and on which he and his family reside. d) On March 16, 1972, I made Motion #22 in Council. Please take particular note of the dates on which legal interests have been obtained in the properties.

I would like to refer you now to Schedule A. (Mrs. Watson refers to Schedules presented to Councillors) The Existing Family Holdings. Lot 60 and 61, Group 803, containing 3.61 and 1.84 acres, purchased from Federal Crown by R. C. Watson by agreement for sale and lease auction in 1963. Legal title obtained in August of 1966. Lot 1, Block 15, August, 1966, title, R. C. Watson. Lot 18, Block 4, October of 1967, R. C. Watson. Lot 19, Block 10,

September of 1967, R. C. Watson. Lot 20, Block 10, September of 1967, R. C. Watson. Lot 3, Block 3, March of 1968, R. C. Watson. Lot 4, Block 3, March of 1968, R. C. Watson. Lot 17, Block 4, October of 1969, R. C. Watson and Hilda Watson. Lot 19, Block 4, December of 1970, R. C. Watson. Lot 20, Block 4, September of 1970, R. C. Watson. Lot 5, Block 3, June of 1971, R. C. Watson. Lot 19, Block 3, April of 1972, R. C. Watson. Lot 20, Block 3, April of 1972, R. C. Watson. Lot 25, Group 803, February 20, 1972, Rod Watson, my son.

I will have the Clerk hand out another paper that I have which briefly outlines the history of our present landholdings that we have acquired in the Haines Junction area.

Madam Clerk hands out paper.

Mrs. Watson: 1955 - 1963, my family lived in Government housing at the United States Army Pipeline pumping station at Milepost 1026 on the Alaska Highway, where my husband was employed. In 1963, we obtained a lease to Lot 60, Group 803, 3.67 acres, and we entered into an agreement for sale of Lot 61, Group 803, 1.84 acres. These were adjacent to the Alaska Highway at Milepost 1017. These were obtained as we were going to build a home there and move out of government housing. Because of the delay in getting the surveying done, and getting the transfer of title, we had to look for alternate housing within the community. So in 1963, we entered into an agreement for sale to purchase a house and lot of 67' X 100', Lot 1, Block 15, which was our home. In 1966, we received the registered title to Lot 1, Block 15, the one that we entered into an agreement for sale for in 1963 - our home. In September of that same year, the registered title to Lots 60 and 61, Block 803 - the acreage was obtained in the name of R. C. Watson. In 1967, Lot 19, Lot 20 in Block 10 - two 50' X 100' lots - were obtained in the name of R. C. Watson. In October of 1967, entered into an agreement for sale to purchase basement and the frame of a house and a 50' X 100' lot under VLA, that is Lot 18, Block 4, R. C. Watson. In 1968 of March, Lot 3 and 4, Block 3 - again two 50' X 100' lots - R. C. Watson. In 1969, September 25th is starred. I will skip over it now and I will draw your attention to it later. In October of 1969, obtained Lot 17, Block 4, 50' X 100', Ronald and Hilda Watson, and this lot is adjacent to the lot of the House. On this lot is located our own double garage. In 1970 in September, I was elected to the Territorial Council, representing the constituency of Carmacks-Kluane. In November of that same year, I was sworn in as a Member of the Executive Committee. In December we obtained two lots - Lots 19 and Lot 20 of Block 4 in the name of R. C. Watson. These two lots are adjacent to the home and garage lots. The four lots are fenced and partly landscaped as our home site.

In 1971, January 6, the Executive Committee received privy information regarding the National Park core concept, with the core situated in the vicinity of the Kluskawash Glacier and the Slims River area. Our next star is May the 26th, and I will bring your attention to that later. On June the 1st, title was obtained to Lot 5 of Block 3, 50' X 100' lot in the name of R. C. Watson. This lot is adjacent to Lot 3 and 4 of Block 3. On December 1, 1971, the Executive Committee received privy information regarding the Kluane National Park and the proposed boundaries thereof. In 1972, February 20, my son, Roderick A. Watson, obtained title to four acres and his home at Milepost 1017.3 on the Alaska Highway. In February of 1972, there was a public announcement by Jean Chretien of his intention to establish Kluane National Park and the boundaries of the park were tabled in Council.

Going back to page 4, I want you to take particular notice of the dates on which legal interests have been obtained in the properties. No facts whatsoever have been presented that my position and any privy information which I may have had, and have been used to increase the value of the real estate of my family. I deal firstly with the property held by my son, Roderick. He has been legally independent of my husband and myself since 1968. He is married and presently resides on the property concerned. He began negotiating the purchase of this property during the month of October, 1971, and became registered owner thereof on February 20, 1972. If you look at Schedule C, there is a letter which substantiates the negotiations in that property.

Shall we proceed to Schedule D. I would like to now draw your attention to this: "A Summary of National Parks in the Yukon". This is very, very important. On December 8 of 1942, the Governor in Council, acting on the Advisory Board of Wildlife Protection Resolutions, passes an Order in Council reserving 10,130 square miles between Kluane Lake and the Alaskan border, and between the Alsek and White River. In November of 1959, the proposal for the establishment of a wilderness area or resource area permitting controlled development. This was a proposal that was presented to the Territorial Council of the day. In November of 1960, Councillor Smith moved, seconded by Councillor Shaw, that the Federal Government be requested to conduct a survey regarding the mineral potential of the Kluane area. That motion was deferred. On July 5, 1961, Councillor Smith moved, seconded by Councillor Shaw, that Council go on record as being in favor of the establishment of national parks in the Yukon with allowance for mineral development. In November of 1961, a paper entitled "National Park for the Yukon" regarding action taken on July 5th, 1961 Motion was distributed to Territorial Councillors. In November of 1961, there was a memorandum for Council presented for consideration:

- a) Reference paper Proposed National Park in the Yukon Territory
- b) Survey results
- c) Proposed boundary
- d) Proposed draft of reservation
- e) Proposed regulations.

March 19, 1962. Minister's address to Banff Chamber of Commerce "National Parks - a Resource of the Future" was made on February 17th, 1962 and that address was referred to Territorial Councillors. On March 24, 1962, Yukon Chamber of Mines resolution was made to Territorial Councillors. April 10, 1962, a letter from United Keno Hill Mines was presented to Territorial Council. In May of 1962, it was moved by Councillor Shaw, seconded by Councillor Livesey, requesting change in the National Parks Act to permit mining in Yukon National Parks. Moved by Councillor Livesey, seconded by Councillor Taylor, requesting land reservation be reduced in Kluane Area to size described in 1959. In December of 1962, moved by Councillor McKinnon, seconded by Councillor Shaw, that the Federal Government proceed with plans for the establishment of a Yukon National Park subject to 1) reduction in area, and 2) a survey of mineral potential in order to exclude areas of high mineral content. Motion defeated. April 13, 1964 Territorial Council Sessional Paper #38 outlining a proposal for the establishment of a "core" area surrounded by reserve area permitting exploration. In March of 1964, it was moved by Councillor Taylor, seconded by Councillor Shaw, that a meeting be arranged between the National Parks' representatives and the Yukon Mining interests. April 6, 1966, Councillor Watt moved, seconded by Councillor (I am sure that is R. MacKinnon) MacKinnon, that the Territorial Council request:

1) Ottawa make firm commitments for expenditures in a core of a National Park pending Territorial Council approval and that 2) an area not exceeding 20 square miles in the Mount Kennedy area be considered as the "core" of a proposed National Park. May of 1965, Sessional Paper #7, National Parks Branch offers to send officers to Yukon. In November of 1965, Moved by Councillor Taylor, seconded by Councillor Shaw, that the Federal Government be asked to consider amending the National Parks Act to provide for optimum use of resources in National Parks which may be established north of the 60th parallel. May 12, 1965, moved by Councillor Shaw, that the National Parks Branch have a senior official meeting with the Territorial Council to discuss the National Parks policy which would affect the Yukon. April 15, 1966, moved by Councillor Thompson, seconded by Councillor Southam, a resolution that core type National Parks be established with surrounding Territorial Parks. Motion defeated May 4, 1966. May the 3rd and 4th, of 1966, Mr. Brooks, Chief of Planning Division of National Parks Branch, meets with Territorial Councillors to discuss establishment of Yukon National Parks. May 4, 1966, Moved by Councillor Thompson, seconded by Councillor Southam, that a core type National Park be instituted surrounded by a Territorial Park. Motion defeated. May 6th, 1966, Moved by Councillor Watt, seconded by Councillor Boyd, that the administration take steps to establish a Territorial Park in the Yukon. Motion carried. First Session, 1967, Sessional Paper #64 - Commissioner Smith proposes a study by W. M. Baker on park development including the possibility of a system of territorial parks in the Yukon. February of 1968, Sessional Paper #3, - Commissioner Smith reports on the progress of the Baker Report. In April of 1969, there was a speech made by John H. Gordon, Senior Assistant Deputy Minister (Conservation), at the Yukon Northern Resource Conference held in Whitehorse. Speech outlined the core-reserve concept for a National Park in the Kluane area of the Yukon. December 14, 1970, Yukon Conservation Society go on record as formally requesting that the Minister of Indian Affairs and Northern Development initiate hearings on the establishment of national parks and preserves in the Yukon. March, 1971, a petition of 15,000 signatures in support of the establishment of a National Park in the Kluane Game Reserve area is circulated. 80% of the Kluane people signed. The petition was organized by M. Hoeffs and W. Benjey. February 12, 1972, Territorial Councillors consulted individually regarding the proposed boundaries of the Kluane National Park. February 17, 1972, the speech from the Throne refers to the intention of the establishment of a National Park in the Yukon, and on February the 22, the Minister announces the creation of a National Park in the Kluane area of the Yukon Territory. The rest of it is bringing it up to date.

Mrs. Watson: Why have I gone through this? Brought this to your attention? So that you can readily see that it should not come as a shock to long time residents of the Yukon and specifically of the Haines Junction, North Highway, Haines Road residents, that a park may be a reality, for the area. The first official information I had concerning a proposed park was in January of 1971. This was privy information and concerned an entirely different concept of a park that is now contemplated. This was a proposal still following a core concept for a national park and was very similar to that detailed by John Gordon in an address he gave to the Third Northern Resource Conference in Whitehorse in 1969. In December of 1971, I received privy information about the proposed park and proposed boundaries which would encompass a

great portion of the Kluane Game Sanctuary. I refer you to the Code of Ethics for Members of the Executive Committee and it is attached to Schedule E. The only way in which it is possible that the residence owned by my son could have any connection with a breach of the Code of the Ethics is if I gave privy information to him which would cause him to purchase this residence, which residence would have to in fact increase in value so as to be a profit to him. I will show later, that in fact, as a result of the park, the resulting need for the enlarged boundary of the Local Improvement District, his property has in fact, depreciated in value. I categorically deny that any privy information was given by me to my son. It was his own choice to buy a residential lot without any consultation or advice of any kind, with or for me. What is more natural than he should wish to live in his own residence? The implication that I may have given him privy information cannot even arise in this instance. As negotiations to purchase his residence were commenced before I had privy information to give. His negotiations to purchase his residence commenced in October of '71 and I did not have any information of any proposal which would affect the value of his property favourably adversely or otherwise until December of '71. Now I deal with what would appear to an uninformed person to be the only area in which there could possibly be any suspicion of any impropriety on my part not because of the fact that they are, but because of misleading innuendos made by the Honourable Member for Whitehorse East. My husband has consistently, since 1966, purchased property every year up to and including the year, 1972. No property purchases had been made after the year 1972. The purchases of these properties are as follows: three in 1966, one being a personal residence; three in 1967; two in 1968; one in 1969 in joint ownership and as part of our personal residence; two in 1970, adjacent to, and forming part of our personal residence; one in 1971 and two in 1972, on unregistered interests. Before I go any further, I state that I have given any privy information to my husband, nor has he asked or advised by me at any time to purchase any land because of any privy information that I have or had in the past. I draw your attention that the Honourable Member for Whitehorse East does not appear to have been very astute in his preparation for his false and misleading allegations. He failed to find from public record in the Land Titles office, that in September of 1969, and I starred the space, my husband purchased Lot 18, Block 15 and a cabin, situation thereon, in Haines Junction for \$2500, and that in May of 1971, he sold this property for \$2500. This is hardly consistent with a person who is accused of amassing land for speculation upon privy information. I wonder whether the Honourable Member may have deliberately failed to provide this information to Council. I will be presenting a map of the town of Haines Junction on which I have marked the properties in which my family and I have an interest. You will see that Lot 17, the only property in which I have an interest, and Lots 18, 19, 20 in Block 4 are continuous and that they are lots on which our personal residence and a double garage are located. They are partly landscaped and fenced and intended for personal residence use only. It should be noted that the total land area comprised by these four lots is less than 200 feet by 200 feet. You will note that in May of 1971, he sold property. In June of 1971, he purchased property. It was Lot 5, Block 3, and is adjacent to Lot 3 and 4, Block 3. It was his intention at that time to go into business because of the promised growth of this community, and at that time, Quill Creek Mine was to go into operation, and the transportation company which was to haul this ore into Haines, Alaska, designated Haines

Junction as its operational headquarters. The transportation company never expanded its operation to the extent anticipated because of the limited production of the mine and its ultimate closure, and therefore, my husband did not proceed with his plans. Lot 19 and 20, Block 3, were bought in April of '72, after the proposed park was public knowledge, because they were adjacent to the other property. These land purchases were made by my husband with his own money, on his own choosing, without using any information that was not public knowledge. The proposed boundaries of the park had been tabled in Council on February 3, 1972, and once a matter is tabled, it certainly becomes public knowledge. I now wish to dispel any innuendos about information I may have had concerning the Local Improvement District of Haines Junction and my husband's position as trustee, in that Local Improvement District. Firstly, and this is very important, no aspect of the Haines Junction Local Improvement District or any other Local Improvement District has ever been subject to privy information. Local Improvement Districts are a form of local Government and the people within it make all decisions concerning zoning and expansion of its boundaries. Secondly, I produce the following: a) a copy of a letter of R. C. Watson to the Commissioner offering to tender his resignation as trustee due to possible conflict of interest, dated December 29, 1970, and it attached to Schedule F, and I will read for the record: "Dear Commissioner Smith: In 1969, you appointed me as a three year trustee to the Haines Junction Local Improvement District a position I at present hold as Chairman. Since the election of my wife to Council, and subsequently, to the Executive Committee, I feel that it would only be proper for me to submit to you my resignation in case that you may feel that there could possible be some conflict of interest. I will continue to hold this office at your pleasure." The reply, Schedule G, dated January 8, 1971, for the record: "Dear Mr. Watson: Thank you for your letter dated December 29, 1970, tendering your resignation as trustee of the Haines Junction Local Improvement District on the grounds of possible conflict of interest. I am advised that there is no general conflict of interest involved and in a specific case where possible conflict could arise, you could always declare an interest and withdraw from the discussion, and vote by recording the same in the minutes of the proceedings. I have, therefore, much pleasure in refusing the resignation on these grounds and I very much hope you will see your way in continuing in your post as trustee for the balance of your term." Schedule H, the minutes of the Board of Trustees of Haines Junction Local Improvement District, dated January 4, 1971, noting the fact that Mr. Watson had written a letter to the Commissioner indicating that he was prepared to resign his position as trustee. I refer you to Schedule I, a letter from the Legal Adviser to my husband. My husband had been the Justice of the Peace in the Haines Junction community and when the administration of justice was turned over to Territorial Government, he felt he could not continue in this position. I read for the record; "April 16, 1971, Mr. Watson: Dear Ron: Thank you for your letter of April 7, 1971, regarding your appointment as one Your Majesty's Justices of the Peace in the Yukon Territory. I can understand that your duties, though not unduly heavy, can cause lots of problems, Thank you very much for your service in the administration of justice, although most of your service was prior to my involvement." And it is signed, Mr. O'Donoghue, Legal Adviser". And I refer you to Schedule J, and it is a copy of a bylaw which was presented by my husband to the Board of Trustees of the Haines Junction Local Improvement, And the bylaw is the Public Officials Disclosure

Bylaw. We are going into zoning, approval of a development plan and he thought it advisable to bring this bylaw into being. It got first and second reading. One of the members was ill. Consequently, he resigned. A new member was elected and the bylaw, unfortunately, never did get third reading. But the effort was made. Since my appointment to the Executive Committee, my husband was at all times, concerned as to a possible conflict by being a trustee to the Haines Junction Local Improvement District. That is why he tendered his resignation and was refused. He has subsequently declined to accept nominations as trustee at a meeting held for the purpose of electing trustees in April of 1972. The meeting was unable to obtain another nominee and at a meeting two weeks later held for the purpose of electing a trustee, he accepted the nomination and was elected for another three year term of office. Now let us take a look at what effects the proposed park has on the value of my personal and family real estate. It is the policy of the Territorial Government to provide for the planning of major community development. After the proposal by the Minister and the proposed park personnel moving into the experimental farm in the month of June, 1972, it became evident that Haines Junction had to prepare for future orderly development if it was to be used for parks headquarters. The Territorial Government, therefore, provided the services of Desmond Parker to prepare a plan for the future orderly development of the Local Improvement District and the residents of the Haines Junction area. As a result of this, the LID has approved in principle boundary expansion and zoning bylaws required to implement the plan presented by Mr. Parker. I will put up the proposed development plans with the zoning marked thereon, and I will also give you a description of the five categories of zoning marked on the plan, and possibly, if you will permit me, I will finish my presentation and then put up the map so that you may use them at your pleasure. On the plan, Lots 60 and 61, these are two acreages in group 803 which are owned by my husband, and my son's property of four acres had been zoned, open space. By being zoned, open space, the properties have no commercial value and have in fact, depreciated in value by the proposed zoning and inclusion in the LID. I will read you the description of the category of open space: "This is a non-urban area including the buffer between urban development and the road system and including the surrounding open space." They have no commercial value and have depreciated in value by the proposed zoning and inclusion in LID. Lots 17, 18, 19 and 20 of Block 4, the family residence, and Lot 1 and Block 15 are zoned residential. Lots 3, 4, 5, 19 and 20, Block 3, and Lots 19 and 20, Block 10 are now zoned, commercial highway, and actually that is commercial highway, tourist. Previously, Lots 19 and 20, Block 10 had no zoning restrictions whatsoever. Lots 3, 4, 5, 19 and 20, Block 3, were previously zoned, commercial lots, that's commercial general. They are now restricted to highway tourist commercial. The result of the proposed park and the proposed expanded boundaries and zoning of the LID on the property of my family will not be to increase the value of the property but rather to depreciated it. Because of the anticipated demand for residential property in Haines Junction, the Territorial Government has made, actually they are in the process of making, they are opening up a new subdivision, fifty-seven lots available for residential purposes within Haines Junction. Surely, this will not enhance the value of my husband's residential lots. All Members of Council should recall that Motion 22 was a congratulatory Motion to the Minister, requesting him to make certain information available to Council. All of the information requested was

information that was available to the public. Many of my constituents, the mining fraternity, conservationists and other interested citizens of the Yukon, have the right to know how the Parks Branch plans to develop the Kluane National Park. I believe it was my duty as a Member for Carmacks-Kluane to make the request that was contained in Motion 22. I would consider myself to be a poor Councillor had I not moved Motion 22. The proposed park lies within my constituency and its effects are of vital importance to many of my constituents and other interested parties that I have previously mentioned. How there could be any impropriety in requesting the Minister to make public the matters requested in Motion 22 is incomprehensible. Any insinuations that the Motion was done for my own personal benefits or for that of my family is absurd. If it was my intention to take advantage of privy information, my logical course of conduct would be to try and keep matters privy as long as possible in order that my family and I would have been able to make as many as possible. If these were my intentions, that would have been foolish indeed to ask for private knowledge to be made public knowledge as soon as possible. I would like to quote the Honourable Member for Whitehorse East, on February 15 last in this Council. In talking about Motion 22, he says, "One would wonder about the propriety of a person who is a property owner in a specific area requesting, even as a Member of Council, the preliminary development plan. Surely, it would most ethical indeed if a Councillor has property not to move a Motion in that description but to obtain the information for her by the movement of another Member of that Motion." The best way I can summarize the net effect of that statement by the Honourable Member for Whitehorse East is that it reveals his true character in the fact that he believes that one can steal but should not get caught. I would certainly call in to questioning the ethics of any person who conducted himself in the manner the Honourable Member suggests the Motion should have been made. Now, let's look at the Motion in detail.

Now let's look at the motion that we have. Section 1 of the motion - Making known to Council the preliminary development plans as soon as possible. The development plans that I'm referring to in Section 1 could only refer to the development plans of the Park. How much area of the proposed Park do the Park people plan on developing? To what extent will they develop it? How much money are the Park people prepared to spend over a period of say five years? How many people can expect employment in the development of the Park and in the operation of the Park? These are questions very uppermost in the minds of all people of the Yukon. I think this was a perfectly legitimate question for me to ask and it is a question which I should have asked. And I feel that I should have followed up with further questions to the Minister regarding the development plans the Parks Branch has for Kluane National Park. No one seems to know.

Section 2 - Making available to Council as soon as possible the final development plans, at least in a general parameter. To whom else should the development plans be made available? Surely it is a natural thing for this Council to request the Parks Branch to make available to them how the Park people plan on developing the Park in the Yukon. Particularly in its general parameters.

Sections 3 and 4 I will deal with together.

Section 3 - Recognizing Haines Junction as a growth centre to take care of the anticipated population increase that will come as a consequence of the establishment of a National

Park. Using the experimental farm as the administrative headquarters for the Park. These are certainly very normal questions for me, as the Councillor for that constituency, to ask. Since the experimental farm had closed down and the land and buildings were being used on a temporary basis by Forestry, it was a natural site for the Park Administration to use as their headquarters. In fact, because the experimental farm was available it meant that the Park people were able to locate in the Yukon in an area adjacent to the Park to carry out the surveys and research that was required before they could finalize a development plan.

I have always maintained as have many other members of this Council, that any further developments by either the Federal Government or the Territorial Government should be centered in an existing community. And I repeat, the experimental farm buildings and land were an ideal situation for park headquarters and the community nearby would be an ideal place for the Park to use as its service centre.

Because my husband owned property in Haines Junction, is no reason why I cannot request the Minister to use that community as a service centre for the National Park, since the value of the property of the area would increase.

Now if I had asked that something be done that would enhance only the value of the holdings of my family, then I would be open to censure.

On Section 5, that is, advising respective property owners of their status as promptly as possible, has nothing to do with property owners who reside outside the Park. There are people in my constituency who have homes and live inside the proposed Park boundaries and other people who own property inside the Park boundaries. And it is only natural for them to come to me and to ask what the status of their property would be if the National Park was declared. And it is only natural for me as their Councillor to ask that question of the Minister.

These people were concerned. There was a factor of the unknown and they had a right to be concerned, and they had a right to ask me as their Councillor to see if I could get some answers. And this is what I was endeavoring to do by my motion. Incidentally, none of my family's holdings are within the proposed boundaries of the National Park.

Now the question has been asked of me, Should I have voted on that motion?

The Motion was only requesting information and requesting that something be done. The Motion was not an action Motion which activated a certain request. This same question could be asked of Honourable Members at present and in the past who have had some involvement in the mining industry and who voted against a National Park proposal in the Territorial Council. This could be asked of Honourable Members representing constituencies within the City of Whitehorse who voted for a Capital building to be situated in Whitehorse, which will enhance the value of all property in Whitehorse. Surely these members, some of these members are property owners too.

This question could be asked of Honourable Members who bring in motions and vote on them regarding payment by Territorial Government for medical evacuation, particularly when members of their family or themselves could possibly be taking advantage of the scheme.

This question could also be asked of any member who votes for any expenditure of funds in their home community in which they may hold property. Members of this Council own property in various parts of the Yukon. Does that mean that when motions come before the house affecting the community in which they own property, they should not vote? If this is the case, then there have been many, many Honourable Members in the past who have conducted themselves in an unethical manner.

I have always believed, and this situation that we have today has reinforced my belief, that it is vital and necessary for any elected person, before they take office, to make a public disclosure of their land holdings and their business interests.

Today I have made a public disclosure of my property and business interests and property of my family. I would be pleased to see the Honourable Member from Whitehorse East do the same.

In closing I specifically ask this Council, advise this Council:

1. I have not at any time breached any Code of Ethics for a Member of Council or a Member of the Executive Committee.
2. The implication that I have done so cannot arise from any of the facts presented by myself or the Honourable Member for Whitehorse East. I did not have privy information which could affect any property values until December 1st of '71. All purchases by my family were made or were in the stages of negotiation prior to this information, except the two purchases by my husband in April of 1972, when any information I had was public knowledge.

Mr. Chairman, Honourable Members, I've had a lengthy presentation. I'm going to have circulated a Position Paper presented by the Haines Junction LID at the hearing last night. This Position Paper was typed on February 11th, before the allegation made by the Honourable Member from Whitehorse East. This Position Paper defines a function of an LID, a form of local government. A form of local government which was created by this House and which is so misunderstood by the Honourable Member from Whitehorse East. And I think if you read this Position Paper, you will realize that the accusations regarding the LID, the privy information on LID's, is just absolutely ridiculous. I have, for your information, a map showing our property holdings in the townsite of Haines Junction. And two maps showing the zoned areas of Haines Junction. I'll ask the Clerk of Council to put up these maps.

Mr. Chairman: I think in light of the fact that these maps are going to be pinned up for the use of Council, that I'll declare a brief recess.

RECESS

Mr. Chairman: I will now call Committee back to order. Councillor Watson will you describe the lots on the maps?

Mrs. Watson: This is a map of the proposed LID boundary. The dotted line indicates the expanded boundary. The line in here is the existing LID boundary and this map up here is the zoning that was proposed by Mr. Parker which has been accepted in principle. Our . . . acreage up here and there is zoned open

space in here, and there is also zoned open space in here. These are . . . , our house lots. This shows a new subdivision that the Territorial Government has been working on. I don't know when it will be available, but I know there is work out there---and this shows our property, this is our home right there.

Mr. Chairman: Mrs. Watson are you finished with your submission now?

Mr. Tanner: Mrs. Watson will you illustrate where the commercial lots are?

Mrs. Watson: (Mrs. Watson is using charts and maps to illustrate the points made). In here, these are commercial general before development and now these are commercial highway. They are restricted to certain types of business operations. These are zoned commercial general and there was no zoning here whatsoever. No zoning restrictions at all.

Mr. Chairman: Well, we've now all heard the submission by Counsellor Watson. I wonder if there are any questions to be put to Councillor Watson?

Mr. Chamberlist: There are more than questions with respect, Mr. Chairman. The procedure usually where a person makes allegations and someone defends her, there is an opportunity to rebut. That particular kind of defence is required. Now first thing, Mr. Chairman, I would like to indicate that the very last document that was submitted is insignificant as far as the allegations that I have made is concerned. It is a document with reference to the Haines Junction Local Improvement District. Now, it would take any person with very, very little common sense to question this particular document. There is attached to this document a letter dated February 18th which reads "To whom it may concern, I, Florence Schulmiester, Secretary of Haines Junction Local Improvement District, certify that the attached brief was typed by myself February 11, 1974 as a submission for presentation at the hearings of the proposed boundary extension for Haines Junction Local Improvement District. And when we look at the brief we find the date of it is February 20. I allow the people to draw their own conclusion that someone would be typing February 11th and dating it ten days ahead. So that's quite a letter. Now, let's just deal with a specific area. First of all, at no time have I indicated that there is any question here about how much property can be owned or should be owned by any particular person. And because I wish to reiterate this particular point, in fact it really defeats 90% of the defense that has been prepared by Councillor Watson for the simple reason that I have already indicated quite clearly - I don't care what property her or her family own. It matters not whether they got it in 1900 or whether they got it in 1901. I just don't care and this is where I want Members of Council to consider the main specific points. It is somewhat unfortunate that, I say this and I'm very sorry that this has occurred because Mrs. Watson and if I can use the word 'convicted' has convicted herself by her own mouth and I would ask her to refer, in particular, to page 19 of the presentation she has made. This is at the bottom, and I say it quite clearly that she has done something to increase the value of the family property owned. Here is what she has said. "Because my husband owned property in Haines Junction, is no reason why I cannot request the Minister to use that community as a service centre for the National Park". And she goes on to say "since the value of all the property of the area would increase." Here she has said

herself, quite clearly, that her property and the property of her family would increase in value. Now that, Mr. Chairman, is exactly what I have said. And here we have it in her own writing. Indeed, she agrees with me because she has stated, I see no reason, why because my husband owns property, you know, I shouldn't make the request from the Minister because the value of the property, the value of the area would increase. Then as an excuse, as an afterthought she says on page 20, "Now if I had asked that something be done that would enhance the value of the holdings of my family, then I would be open to censure." I say that isn't the clear point at all because she has jointly with other people owned property that has increased in value and she has so stated. I don't know how anybody could disagree with her own words. She has said "I have asked the Minister for information since the value of all the property of the area would increase." What else have I said in the allegations that I have made, that what has been done would, in fact, increase the value of her holdings. Now, there has been much reference made to Motion 22. I think it's necessary to point out quite clearly, Mr. Chairman, that the points she has made with reference to Motion 22 are not the valid points that I have brought forward. The valid points that I have brought forward are quite clear and specific. I said that she had privy information. She has admitted also to having privy information. In fact she has brought forward, and this surprised me too, I think she has got it in her brief as Schedule D Summary, National Parks in the Yukon. And do you know where this was obtained from? This was obtained from a confidential document attached to her submission in ExCom with this attached and she is using this now because I have the copy as well. Now, also, she did not say, oh she would not do that, she did not say another document was attached to it, which gave out all the correspondence going back for some time between various peoples in government relating to that. Now, I will say, I will give her the dates because I have questions to ask her about - to give her the opportunity to deny them. I say that not only was there a summary of the Kluane National Park that she has brought forward, attached to those documents, I'm not going to say what were in these particular date documents although Councillor Watson read them out and they were attached as confidential. But there was also a synopsis of correspondence on Kluane National Park, a synopsis that was of a top secret matter. I'm not going to disclose what the contents are but I will say this, that the correspondence was January 19th, 1971, February 5th, 1971, March 19, 1971, April 19, 1971, June 2nd, 1971, June 8th, 1971, July 29, 1971, August 12th, 1971. Also she had a confidential copy of a letter which was addressed to the Commissioner from the Acting Director of National Parks dated January 8, 1969. Now, because I know she had them because I had them and the ExCom had them but I'm not going to say what are the contents. But I come back now to Motion No. 22 because I say that she deliberately promoted it. All we have to do is just look at the discussions of Motion No. 22. The Motion has been read and you will notice specifically, that, also, before going on that point, that when in her submission on page 18 or we can start with page 17, she started off by producing the various sections of the Motion and then she says she started with No. 1 making it known to Council of preliminary development plans. And then she asked a whole bunch of questions. The development plans that I am referring to in section 1, could only refer to such and such and how much of the area proposed to the park people on development. She didn't ask these questions in debate but now

she asks them. She didn't ask to what extent would they develop it, how much are the park people going to spend this is an afterthought. Now, at this time she says, she demands. The next paragraph on page 17. She says, these questions are very uppermost in the minds of the people of the Yukon. She says this and this is peculiar: "I think this was a perfectly legitimate question to ask and it is a question which I should ask." Now, did she ask them or didn't she ask them?

Mr. Chamberlist: I want Members of Council to read that very carefully and see what has occurred here. Then she went on to No. 2 and said make available to the Councillors as soon as possible the final development plan, at least in the general perimeter. Then she goes on to say, you know, who else would I ask? But she didn't ask. She didn't make any reference to these items in the discussions in Motion 22. But it came afterwards. I want to make this position clear right now so that there can be no misunderstanding. I did not examine the titles of any of the properties to find what the extent of the land ownings of Councillor Watson and her family was until last Wednesday or Thursday, so I didn't know until that time so that in case anybody says, Well if you knew about it before, why didn't you raise it, as somebody has suggested, I didn't know. I know Mrs. Watson had property in the area and all her family had property in the area. But I want to go ...

Mr. Tanner: Point of order, Mr. Chairman. The Honourable Member has contradicted what he told the House last time because right in the Votes and Proceedings he said he thought about it in August. That's when he said he first knew about it. He can hardly say now that he didn't know.

Mr. Chamberlist: I said it was brought to my attention in August, but I didn't do a search of the land titles until last week, Mr. Chairman. This could be checked with the ...

Mrs. Watson: Point of order, Mr. Chairman

Mr. Chairman: Councillor Watson.

Mrs. Watson: I wonder if we would look at the Motion for the procedure that we were to follow for today. I think it clearly explains that when Mr. Chamberlist made his allegations and charges. I would be given an opportunity to make my rebuttal and then it would be open to question. It did not make provisions for rebuttals to go on and on and on. I'll just make this point.

Mr. Chairman: I think that I would have to rule from the Chair that what Mr. Chamberlist is doing at this point is well within the order as long as he stays within the confines of the subject under discussion.

Mr. Chamberlist: Thank you, Mr. Chairman. I want to deal with Motion 22 because there are specific areas which I feel Council must consider. They show in my opinion, and I hope in the opinion of Council, that there is and was, a promotion to promote the Haines Junction area in such a way as to increase the value of the property in that area. Now, during that debate, on page 794, that is in First Session, 1972, Volume 3, Mrs. Watson said this: "On February 22, the Honourable Jean Chretien, Minister of Indian Affairs and Northern Development, announced the formation of the Kluane National Park in the Kluane Game Sanctuary in the southwest portion of the Yukon Territory." She went on to say, later

on, "I feel that the Councillors here in particular, would be very interested in receiving from the Minister some indication of what plans they have for the development of this area and the National Park. Certainly there is nothing wrong with that." Quite right, as she has indicated, as a Member of Council, she should be asking those questions. Then the push started. "I would request support in this Motion that request this type of information from the Minister. I would also request that the Council support my thinking and having the Haines Junction area designated as a service centre the growth centre of the National Park. The commercial aspect of the park could be set into the centre such as this." And I make note of it, "the commercial aspect of the park..." "It would also lend itself in an area where the residents some permanent employees of the National Park, could be situated rather than having another satellite community to provide residences for permanent employees of the National Park." And at that particular point, I raised a sound question. And then, Councillor Tanner, who had some doubts about the Motion, moved that the Motion would be put into Committee for further discussion. There was an objection from Mrs. Watson to this taking place. As a matter of fact, later on, I supported Councillor Tanner indicating that I think this was the proper way to go about it. Now, after some discussion from Councillor Taylor, Mrs. Watson again, "Mr. Speaker, I request that Council deal with this particular Motion at this time." Push, there was a push there all the time as I say. On the bottom of page 795, I supported Councillor Tanner by saying, "I'm suggesting, Mr. Speaker, that to move into Committee of the Whole would be the correct thing to do."

Mr. Tanner: Mr. Chairman, on a point of order, again.

Mr. Chairman: Councillor Tanner

Mr. Tanner: We set out the parameters of how we were going to conduct ourselves, Mr. Chairman, and the Honourable Member who just spoken says he wants to rebut some of the evidence, or whatever you want to call what Mrs. Watson said. I personally fail to see what the point of his line of questioning is now, or even what he is trying to do? Could he specifically tell us what he is getting at before he goes on his way and takes up the time of the House?

Mr. Chairman: I would like to point out that I believe, so far, Mr. Chamberlist has stayed within that limit. If he exceeds that limit, I, for one, will be putting a stop to it. If he starts bringing in new evidence.

Mr. Chamberlist: Thank you, Mr. Chairman.

Mrs. Watson: Mr. Chairman, on a point of order, shall we read that Motion? Could we read that Motion in Council. The Motion by which this Committee is sitting.

Mr. Chairman: Order, order please, Councillor Watson. It is the wish of this Committee that you read that Motion and take a vote in Committee as to whether or not this particular line be proceeded with or not.

Mr. Chamberlist: I must rise on a point of order.

Mr. Chairman: Order, please. I have asked the Committee's wishes on this respect. Councillor Taylor.

Mr. Taylor: Mr. Chairman, as I stated before as Speaker, I am not taking either issue in this regard, but I do think that in order to get at

least the facts of the situation, anything that is pertinent to it, should be disclosed or made available to Committee, those Members that are going to have make a decision on this. I would think that as long as the Member does stay within the ground of reason, that we should hear what he has to say.

Mr. Chairman: Any further comment on that.

Mr. Tanner: Mr. Chairman, speaking to the last Member's point of order. I am merely saying that do we have to go through the whole debate that we had two years ago. It doesn't appear to be pertinent to the subject matter of discussion here in Committee today. It doesn't appear to me that what the Honourable Member is saying is pertinent.

Mr. Chairman: Once again, in speaking from the Chair, I would have to rule that so far, it does appear to have been pertinent. If there are some new points brought up, then the Chair would rule that they are in fact out of order. Until that point, I will allow Mr. Chamberlist to continue.

Mr. Chamberlist: Thank you. I can assure Mr. Chairman that I intend to keep within the points. On page 835, Councillor Watson said this, "Mr. Chairman, I think we will be able to get some of the information I have requested in this Motion. But I would still like to see this Motion dealt with as soon as possible. If we delay it for one day, I would like to see some different aspects of the endorsement of the National Park without thought." Now, I make this particular point. Because I'm showing again that there was some pressure being put on Council. After Mr. Tanner had spoken again, showing since resistance to the Motion at that time, Mrs. Watson said, "Mr. Chairman, this is the Motion that I would like to see endorsed as it stands." And just to finalize with reference to the Motion itself, Mr. Chairman, again on 1186, on page 1186, Councillor Watson says this, Mr. Chairman, "I do feel that we should consider the Motion and at least get acceptance of the Motion. I don't have a copy of it here, but the first part is extremely important to have the acceptance of all the Members of Council." This was quite true. The first part of the Motion was indeed an acceptance of Council in relation to National Park. It appears to me in replying, and I'm finishing off now because I think I have shown specifically in these areas, that what has purported to have been a defence actually is only a repetition of what I have said with relation to the property ownership of Councillor Watson and her family and didn't, in any way, go beyond that. Again I repeat, it matters not in this particular area. I say this, that in the Code of Ethics, we have already spoken of that. Clearly define, because it is in Mrs. Watson's brief, I will, and she has starred the two items in the Code of Ethics, I would like to repeat those two and answer, "For use information privy to the Administration in such a way as to make a profit for himself or his family, friends or associates." The admission by Councillor Watson to the increased value of the land in the area speaks for itself. She asks why can't I do it, because I am doing it for everybody else at the same time. It doesn't separate what she is doing and what she has done from the other people. It would appear to me, Mr. Chairman, that the main consideration must be at this stage, that she did indicate Section 5 of the Motion a request for information as to property ownership. That point was very, very clear. She wanted advice as to property ownership. For what purpose? For the purposes indicated since value of all the property would increase. That speaks for itself. That the specific background of the Motion being put and then her being in a

position of voting on that Motion is in itself improper. Because Mr. Chairman the other day asked me not to make any reference to similar cases and what can happen in certain cases I will not make reference to them. They will be dealt with where there are similar cases at law, where this thing had occurred. I say this, that the charges and allegations that I have made have been proven. There can be no doubt that I provided a prima facie case. The suggestion that what I had said was frivolous. I think no person with any legal background, I'm sure that if Mr. Legal Adviser was asked whether a prima facie case has been laid out or whether the matter was frivolous, he, with legal knowledge, could not help saying that the prima facie case has been laid out. The matter has not been frivolous. The ...

Mr. Chairman: Order, please. I would tend to rule that that is exactly what the Committee has been struck for to make that decision and it is not up to you, Councillor Chamberlist, to say that these charges are not a frivolous thought.

Mr. Chamberlist: I'm just suggesting that we get information if it is required from the Legal Adviser, that is why we have one. So I will finish up with that, these last remarks, Mr. Chairman. Contrary to what is thought, I simply repeat that I did not have firm knowledge of what had taken place until after it had been brought to my attention. I indicated, and I make the same point, it wasn't until August. Then I first had some people whispering in my ear, then in December that I indicated to Councillor Watson that I had known of what the position was. I certainly wouldn't have seconded that Motion and that the last point of clarification I wish to make again that there was no search done as to the titles until last week which can borne out by the receipt for payment for the examination of the titles and certainly by the people who are employed in the Land Titles office. Thank you, Mr. Chairman.

Mr. Chairman: Councillor Watson

Mrs. Watson: Mr. Chairman, I am not going to rebut the Honourable Member's remarks. I have stated facts, truths, substantiated with evidence. I am prepared to rest my case on that.

Mr. Chairman: Do any of the Committee Members have questions of either Councillor Watson or Councillor Chamberlist at this point?

Mr. Chamberlist: I would like to ask some questions now, Mr. Chairman.

Mr. Chairman: Councillor Chamberlist

Mr. Chamberlist: Mr. Chairman, would you want me to direct every question through the Chair?

Mr. Chairman: I think that that would be the rule.

Mr. Chamberlist: All right. My first question to Councillor Watson is "Was Councillor Watson aware and had she read the confidential letters that passed between Federal Government and the Commissioner relating to the National Park and the areas of growth centres between January 1, 1971 and March 3, 1972?"

Mr. Chairman: Councillor Watson

Mrs. Watson: Mr. Chairman, I do not recall reading any such letters.

Mr. Chamberlist: Would Councillor Watson, Mr. Chairman, indicate whether attached to the summary of National Park that she has attached

to her brief was not that in a confidential document submitted to Executive Committee?

Mrs. Watson: Mr. Chairman, I wonder if the Honourable Member would repeat his question?

Mr. Chamberlist: Mr. Chairman?

Mr. Chairman: I wonder, if Councillor Chamberlist if you would be specific as to which document you are referring to? Is it Schedule B?

Mr. Chamberlist: Yes, Mr. Chairman, I will put it this way. Mr. Chairman, the question was asked of Councillor Watson, Schedule D of the brief submitted and headed, Summary - National Parks in Yukon, is a document that I refer to. Was that document attached to a confidential submission submitted for discussion to the Executive Committee on December 1, 1972?

Mrs. Watson: Mr. Chairman, I am not going to answer this question. I know what the Honourable Member is referring to. Information that I have here in Schedule D was obtained from a different source than the Honourable Member is referring to.

Mr. Chamberlist: I wonder, Mr. Chairman, if the Member for Carmacks-Kluane will answer this specific question. Was this document attached to the confidential submission submitted at Excom?

Mrs. Watson: Mr. Chairman, this document was not attached.

Mr. Chamberlist: Is the information, Mr. Mr. Chairman, that's on this document taken from the confidential document which was attached to Excom?

Mrs. Watson: Mr. Chairman, the information was received from a different source than what the Honourable Member is implying.

Mr. Tanner: Mr. Chairman, on a point of order. All this information, as far as I can see, is public information. It is... The first reference is Council. The second reference is a proposal. The third one is a Motion in Council. All this information, as far as I can see, I was interested to see if there was anything that was confidential. Any other Member, or any member of the public couldn't find. That is what all of this is, as I understand it.

Mr. Chamberlist: Mr. Chairman, with respect, I am not taken in by the attempt from the Honourable Member for Whitehorse North to make out that he doesn't know what I am talking about now that he is a Member of Excom., because he knows full well. I will say this ...

Mr. Tanner: Again a point of order. There is something that should be clarified here. As a Member of the Executive Committee, in exactly the same way as any Member of any Cabinet in any provincial Legislature or in the Federal Government, there is no information available to me when I went into Executive Committee before the time that I joined. The Honourable Member probably knows this as well as I do. The only information that I get is anything pertaining to my department and it is only records of recommendation. I have never seen any minutes of the previous Executive Committee. I have never seen any records of recommendation of the previous Executive Committee and I have no idea of what went on in Executive Committee before I got there. If it were any other way, Executive Committee wouldn't work. The Federal Cabinet wouldn't work and neither would

any provincial Cabinet work. The Honourable Member knows that.

Mrs. Watson: Mr. Chairman, ...

Mr. Chairman: Order, order please. I must rule from the Chair that this line of questioning will have to cease for the simple reason it is between Executive Committee Members or ex-Executive Committee Members and there is no way that other Members of Council can do any more than make their decisions upon the words that are put forward by any of those Members.

Mr. Chamberlist: Out of respect, Mr. Chairman, it has been indicated by all Members of Council that it is a time for questions. Now the time for questions in this manner is now and I would suggest, Mr. Chairman, that in placing these questions forward, there are reasons for starting the questions in this particular manner. When I made reference to Councillor Tanner knowing this, I didn't make any reference to what he was talking about. It just shows that he is a little bit excited and it is unbecoming of an Executive Committee Member. But he will learn in time. However, the position that I wish to take, Mr. Chairman, with Councillor Watson in asking these questions, is perhaps I will ask another question. Mr. Chairman, to Councillor Watson, were you in possession of any kind of a synopsis of correspondence on Kluane National Park for that period of 1971?

Mrs. Watson: Mr. Chairman, this is not relevant at all. I have stated in my statement that, and I can have this substantiated if it is necessary, when I got privy information, and this type of gruelling to try to make me disclose confidential information, I'm just not going to answer. The relevant dates that the Honourable Member from Whitehorse East asked about have been put down and I can have these dates substantiated, and I believe that is my case and I will not be badgered by the Honourable Member to try to get me to disclose confidential information, and this is what he is trying to do. Either he may have some confidential information or he is trying to insinuate that there is some and by rebutting him I would have to break my oath and I don't think that this is a proper procedure for us to go through. Let's face it, I was asked, I can have these dates substantiated. These are the dates that are in question at this time very specifically and that is where I rest my case. I will not answer any further questions of confidential documents so the Honourable Member does not have to ask them of me.

Mr. Chairman: Order please. I would like to ask one question of Councillor Chamberlist from the Chair and that is are you in any way intimating that Councillor Watson received privy information prior to the time that she has admitted to receiving it in her brief.

Mr. Chamberlist: Yes sir, I am indeed. She received the information prior to the motion that was put forward by her prior to the date of voting on that motion.

Mr. Chairman: Order please.

Mr. Chamberlist: This is what the relevancy of the question is Mr. Chairman.

Mr. Chairman: Order please. Councillor Watson has already admitted to receiving privy information for a considerable time before

that motion was put in. Also, she has admitted that it was in January, 1971.

Mrs. Watson: Hawkeye isn't the hawkeye he pretends he is. It is down in the submission.

Mr. Chamberlist: I have, with respect, my question is not the question of which Mr. Chairman seems to indicate that it was. My question was quite clear and the record will show that I gave dates of certain correspondence and my question is quite clear that she could either answer yes or no and that would satisfy I'm sure the Members of Council and then we would deal with them later, but answer yes or no.

Mrs. Watson: Mr. Chairman I stated that I have stated the dates, and that I can have this substantiated if it is necessary. This is privy information when this information was made available to me. When this became privy information to me and that is my answer.

Mr. Chairman: This, I can see, would go on forever. The dialogue between the two members have been stated. Mrs. Watson stated that she did in fact receive privy information in January, 1971. We have had the submission from Councillor Chamberlist, we have had the rebuttal from Councillor Watson and it would be my suggestion from the Chair that unless there are questions from other members.

Mr. Chamberlist: No you cannot cut me off. No you cannot cut me off. I won't allow Mr. Chairman to cut me off the questioning. This is too important for people of the Yukon.

Mr. Chairman: Order please.

Mr. Chamberlist: You can't cut me off.

Mr. Chairman: Order please. If you have some specific questions Mr. Chamberlist that are to deal with the rebuttal that Mrs. Watson has put forward, I would ask that you make those questions now.

Mr. Chamberlist: It is quite clear Mr. Chairman that the answer that Councillor Watson said is she gave a date of January, but I am suggesting Mr. Chairman to this Committee that there are other dates of which she had privy correspondence and I am asking her whether she will say yes or no to the question that I think I put. Did she receive a synopsis of correspondence on the Kluane National Park and I give the dates - I have already given the dates. All you have to say is yes or no.

Mrs. Watson: Mr. Chairman I have already answered the question. I have given two dates and I can give substantiation.

Mr. Chamberlist: I can alter the questioning, I can alter the question Mr. Chairman. At the time of voting on Motion #22, is it true Mr. Chairman that Councillor Watson indicated whether her and her family had holdings in property. I want a yes or no to that.

Mrs. Watson: Mr. Chairman, I have stated that we did have holdings on property in my brief. This was a fact.

Mr. Chamberlist: Now I am going to ask just one final question Mr. Chairman. It is unfortunate that I must ask it this particular way because I know, people, all of us - we all get hurt, lots of people get hurt as a result of this type of happening. I want it clearly defined that I'm determined to find an answer

to this specific question. At the time of the National Park being pronounced by the Minister of Indian Affairs and Northern Development, at that time were there negotiations going on by members of your family for the acquisition of lands in the Haines Junction area?

Mr. Chairman: From the Chair I would have to point out that this has already been admitted.

Mr. Chamberlist: This is a different question. I ask Mr. Chairman, with respect, whether during that time there were negotiations going on for the acquisition of lands in that particular area.

Mrs. Watson: I don't know. I have got the dates when purchases were made, and all the information that is available has been tabled.

Mr. Chairman: Are there any further questions from any members? Is it the wish of Committee to retire into caucus and decide then the outcome of this.

Some Honourable Members: Agreed.

Mr. Chairman: I so declare and Committee then is recessed until the call of the Chair.

RECESS

Mr. Tanner: Mr. Chairman, I will move that Mr. Speaker do now resume the Chair.

Mr. McKinnon: I second it, Mr. Chairman.

Mr. Chairman: It has been moved by Councillor Tanner, seconded by Councillor McKinnon that Mr. Speaker do now resume the Chair. Are you prepared for the question? Are you agreed?

Some Honourable Members: Agreed.

Mr. Chairman: I will declare the motion carried.

MOTION CARRIED

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

Mr. Stutter: Yes Mr. Speaker. Committee convened at 2:15 p.m. to discuss the matter which brings into question the conduct of a member of this House. The matter was discussed at some length. The Committee was drawn to a close at 4:00 p.m. at which time there was a motion from Councillor Tanner, seconded by Councillor McKinnon that Mr. Speaker do now resume the Chair and this motion carried.

Mr. Speaker: You have heard the report of the Chairman of Committee. Are you agreed?

Some Honourable Members: Agreed.

Mr. Speaker: Is it the pleasure of the House to adjourn at this time or what is your direction?

Some Honourable Members: Agreed.

Mr. Speaker: This Council now stands adjourned until 10:00 a.m. tomorrow morning.

ADJOURNED

February 22, 1974
10:00 a.m.

Mr. Speaker reads the daily prayer.

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

Madam Clerk: There is, Mr. Speaker.

Mr. Speaker: I will now call Council to order. We will proceed this morning with Orders of the Day. Are there any correspondence or documents for tabling? Are there any reports of Committees?

Mr. Stutter: Yes, Mr. Speaker, I have a report from Committee of the Whole respecting the matter bringing into question the conduct of a Member of this House. I can report that the majority of Committee decided that the Honourable Member from Carmacks-Kluane did not use her position improperly as a Member of Council and the Executive Committee; in such a manner as to increase the value of her personal and family holdings in the Haines Junction area.

Mr. Speaker: Some Members expressed to the Chair earlier that they would wish to make a statement in respect of this matter. Is this agreeable to the Members of Council?

AGREED

Mr. Speaker: Then proceed. The Honourable Member from Whitehorse West.

Mr. McKinnon: Mr. Speaker, over the last few days we've been dealing with serious allegations with a Member of Council and a Member of the Executive Committee, namely that the Honourable Member from Carmacks-Kluane had conducted herself with gross impropriety by using her position as a Member of Council and of the Executive Committee in such a manner to increase the value of her personal and family land holdings in the Haines Junction area. On the basis of material available to an ordinary Council Member, Mr. Speaker, not privy to Executive documents, I have arrived at the following conclusion.

The Member from Carmacks-Kluane states she had privy information regarding a National Park on January 6th of 1971. This privileged information was not made public until February 23rd of 1972. To me then, Mr. Speaker, the only questionable purchase of property in this time period was made in June of 1971 by the Member's husband. If, after having received the privileged information, the Watson family had embarked on an extensive land buying campaign in the Haines Junction area, I would have no problem agreeing with the Honourable Member from Whitehorse East that she had abused the position of great responsibility of public trust. However, the pattern of purchasing property by the family in this period is entirely consistent with the purchases over the years, from 1966 to 1972. Indeed, much more property was purchased in the years prior and subsequent to the Member having privileged information. This would seem to indicate a pattern of well planned investment in the Yukon and in the Haines Junction area, which no one should object to.

I'm willing to accept the Member's statement in this regard, that she neither used nor let her family use privileged information to increase the value of their land holdings in the Haines Junction area - the specific allegation tabled against her. I have more difficulty, Mr. Speaker, with accepting her vote on Motion

No. 22 dealing with the development of the Haines Junction area. I feel it was her duty to her constituents to bring their wishes by Motion to this House. However, as a major property holder in the Haines Junction area, I think she should have been guided by Rule 66, Sub. (1) of Beauchesne which states that: "Disallowance of a vote on the score of personal interest is restricted to cases of pecuniary interest and has not been extended to those occasions when the dictates of self-respect and respect due to the House might demand that a Member should refrain from taking part in a decision." Indeed Mr. Speaker, when I ran a bar, I felt the House needed my acknowledged expertise on the subject of booze. However, Mr. Speaker, on any matter dealing with the Liquor Ordinance, I did not vote, to be sure that the question of pecuniary interest would not be raised either by the public or by individual Members.

I would suggest, Mr. Speaker, that the Honourable Member from Carmacks-Kluane be perhaps a bit more politic in the future, but still find no grounds for a formal reprimand by the House in this respect.

One of the ironic things about the whole situation, Mr. Speaker, is that a few short months ago, the Honourable Member from Carmacks-Kluane stood along with her mentor, the Honourable Member from Whitehorse East condemning me, my friends and my business associates of a master plot to control the minds and the pocket books of Yukoners. My friends and associates had no chance to reply in the House to these unwarranted charges - a right I strongly fought for on behalf of the Honourable Member from Carmacks-Kluane.

Indeed, if one has followed this Council, I know that there is not one Member here who hasn't got me pretty good at one time or another in the course of this House. However, maybe we can all learn from this that personal grievances and private vendettas have no place in conducting the affairs of the people of the Yukon. The public demands and deserves that we be big enough and responsible enough to put these differences aside and get on with the business of our constituents.

Thank you, Mr. Speaker.

Mr. Speaker: The Honourable Member from Dawson.

Mr. Stutter: Mr. Speaker, after the words that have just come from the Member from Whitehorse West, it's pretty difficult to get up and say anything, but it means a great deal because I think as usual, he summed it up pretty well.

There is only one point that I would like to point out - is that the Code of Ethics that normally used or is, I shouldn't say normally used, is used for the behaviour of Executive Committee Members, in general, should be applied, I think, to all of the Members of this House whether they are Executive Committee Members or not. The only area at all, as far as I was concerned during the deliberations was with No. 4. I would have to take the same view I think as Councillor McKinnon that there hasn't been sufficient evidence shown that Mrs. Watson did in any way violate the Oaths or the Code of Ethics that are set out for the Executive Committee. I have had very little difficulty in supporting her in this particular point.

Mr. Speaker: Are there any other Members wishing to speak on this matter at this time? The Honourable Member from Carmacks-Kluane.

Mrs. Watson: Mr. Speaker, I would like to thank the Members of this House for their decision. I would also like to thank so many of my constituents who rallied and expressed their support and many other members of the public of the Yukon who expressed their support. Before I provided the case that I did yesterday, they knew me as an individual and knew my family and I think that the fact that they expressed their support before I had to make a rebuttal, which certainly meant a great deal to me.

I take very seriously the comments that the Honourable Member from Whitehorse West has made. Before I dwell on Motion 22, I'd like to go onto the reference to the charges that were made in this House a few months ago. I would not concede that the charges were not warranted. However, I would concede that charges of this nature, in a House, against people who are not in a House who cannot defend themselves, become very difficult charges. I think that I have undergone a learning process and particularly when you're backed up against a wall and I was given the opportunity to speak and these people were not given the opportunity to speak. I do concede with the Honourable Member's remarks. I do not concede that necessarily whether the charges were warranted or not - that would be a different debate altogether.

I go onto Motion No. 22. The Honourable Member feels that I should not have voted. I have great trouble in agreeing this on a cross the board basis, particularly when it involves people who live in communities within the Yukon, who represent these communities, these constituencies in this House. And these people are property owners, possibly in business in that community. And what better type of representatives do you want here in this House than people who have a stake in the Yukon Territory? Therefore, when a question arises, which would affect your own interest in that community, whether it be land interest or business interest, they affect your interest but not any more than anyone else's. Should you not be given the opportunity to support that Motion by your vote and I think here, in the constituency of Whitehorse in particular. And I think of the debates that we have had and the requests that have been made by some of the Honourable Members from the Whitenor area, that possibly the Municipal Aid Ordinance should be amended. These debates are quite valid and some of the points that they are making, quite valid. Should these Honourable Members bring this to the attention of the House, debate on it, support it and yet then every Honourable Member representing Whitehorse constituencies who happens to own property, or a home, or a business would not be allowed to vote? It would put these Members in a very difficult position. It could even be that the vote would be lost in the House and they would really be injuring their constituents, rather than assisting them. So I think that before we make a ruling like this, or accept a ruling like this across the board, I think there has to be some very very serious consideration given to it, because it could be a precedent that could not apply, for example in the House of Commons, if there is a debate on something that would benefit the Province of Alberta. Do you mean that Members who represent Alberta in the House of Commons could not vote? So I think its a very very far reaching question and my own conscience in voting for this Motion, I did not feel that I was voting on the Motion and increasing my own personal involvement in the community. The North Alaska Highway - that whole area has had very difficult times over the past few years. The pipeline has closed down, the experimental farm has closed down and some

of the people are in a very serious condition. The communities have been getting smaller and they needed some type of a boost and this is why I worked very very hard for the National Park, to try to get them some type of an economic base.

Again I would like to thank the Honourable Members for the decision they have made. Thank you, Mr. Speaker.

Mr. Speaker: Are there any other Honourable Members wishing to speak at this time?
The Honourable Member from Whitehorse East.

Mr. Chamberlist: Mr. Speaker, I had not intended to say anything at all, although I had prepared myself. But I feel it would be not proper for me not to comment at all. Now, I think the Honourable Member from Whitehorse West made one specific point that I thought was very valid. That he said that I, referring to himself, as an ordinary Member of Council not privy to information of the Executive Committee could not judge the situation, other than what was given to them as information yesterday.

Mr. Speaker, I attempted to get from Councillor Watson, answers to questions that in any other place, judicial notice would have been taken and she would have been compelled to answer those questions. One particular question related to a part of her brief, which she called Schedule D, and I indicated that she had received and obtained that information from a document, she said: No, she hadn't, she got it from another source. She had cleverly, with the assistance of the Commissioner (because it was addressed The Commissioner, on the particular document) she had obviously taken certain parts out of it and only made reference to certain parts leaving all the other dates. Now I'm only going to read the first part to put into this statement I'm making today, of Schedule D, which said December the 8th. First of all its headed: "Summary National Parks In Yukon December 8th, 1942 Governor in Council acting on "Advisory Board on Wildlife Protection: resolution passes Order in Council P.C. 11,142 reserving 10,130 square miles between Kluane Lake and Alaska Boundary and between Alaska and White River."

I will now read the copy of the document from the Commissioner. It is headed "Summary National Parks In Yukon December 8th, 1942 Governor General in Council acting as Advisory Board on Wildlife Protection, resolution passes Order in Council P.C. 11,142 reserving 10,130 square miles between Kluane Lake and Alaska Boundary and between Alsek and White River." Now here you see that in fact this was taken from a document where she had to read the document to have taken it from it and the information is there. Also I questioned her about the synopsis of correspondence that had passed and I say, and I repeat, that she had knowledge, that she also had copies of letters that the Commissioner passes around the Executive Committee for them to see relating to National Park. One of them was a copy of a memo that I had written which she has a copy of.

I'm just pointing this out because I've been accused of being a liar and this is when she has actually called me a liar that these documents didn't exist. I'm not going to read any further, but Members of this House know that I do not lie. When I stand up to make a statement they know that I have done my research and I speak from actual facts and I stand, Mr. Speaker on the public knowing me as I am, blunt

and straight forward without hiding behind any insignificant little items that could have been answered quite properly.

I have said all I'm going to say in regards to what I think was clear and definite breach as far as I'm concerned and that particular incident itself is another disclosure of a breach in itself.

Certainly Councillor Watson has indicated, Mr. Speaker, that she wishes to thank the people from her constituency who supported her, etc. etc. and I can assure Mr. Speaker, that I have been inundated with complaints about the situation from people in her constituency. At long last somebody, a very responsible person in the area, is going to come forward and by affidavit, declare certain instances and certain facts which I will then leave to the public at large. I say, Mr. Speaker, the only way for her to find out whether or not the people of the Yukon are not disturbed about what is taking place and by other Members too, is to end this Council and go for re-election. Let her go for re-election. I'll go for re-election, although I regret that I don't feel as if, under the circumstances that exist today, that anybody should go for re-election until such time as the Administration along the corridor here, changes completely. That is my feeling. I tell you bluntly and as far as I'm concerned, and I accept what the majority have said and also the fact that much more leeway was given to Councillor Watson in presenting the case and I hope she pays the firm of Lueck, Pitzel & Cable very well and very promptly for the assistance they gave her because they gave her good sound advice on how to proceed to make a very sympathetic case on her behalf and she should do that very promptly.

Mr. Speaker: The Honourable Member for Whitehorse North.

Mr. Tanner: Mr. Speaker, I was wondering if Mr. Speaker would like to make some, would like to leave the Chair and make some comment on it?

Mr. Speaker: No, I wouldn't think I have any comment in this respect. As I stated, the Chair is completely impartial in this regard.

Mr. Tanner: Mr. Speaker, I would like to speak on what's been said. Mr. Speaker, I'll first comment on what the Councillor for Whitehorse West has said and then if I might, I'll comment on what the Councillor for Whitehorse East has said, and then I want to give my own point of view. As far as the point of view of Councillor McKinnon and who should vote on what Motions, I don't agree with the Councillor for Whitehorse West because I believe that if you followed his line of thought, you'd eliminate practically every potential candidate for this House and probably for a City election and probably for an LID election or any other public election, any other election we have in the Yukon.

You could make a case out for every Member in this House. Where they shouldn't vote on various subjects because they have some remote interests. I believe the Councillor for Carmacks-Kluane would have been derelict in her duty to her constituents if she hadn't promoted the park. I think she'd receive far more phone calls and far more letters and far more verbal communications if she hadn't promoted the park. I think the park was important to

her constituency and I think she did the right thing in promoting it.

As far as the comments for Whitehorse East, Councillor Chamberlist has made in regards to submissions to ExCom, he knows, I know and Mrs. Watson knows who sat on ExCom, an ExCom submission consists of a number of pieces of information, some of it public, some of it privy, and without a total area of information, how on earth can anybody sitting on the Executive Committee make any reasonable decision.

Mr. Speaker, Mrs. Watson has been exonerated. But why was the information placed before the Council in the first place? Why do the rules of the House allow this type of procedure to happen? Why, when in the past, we have an occasion some ten or eleven years ago when the same thing happened didn't the three Members who participated in that particular time, why haven't they taken it upon themselves to change the rules and to not allow it to happen again? When are we going to change our procedures so that accusations and charges of improper conduct and allegations are placed before this House with no responsibility on the part of the Member or Members making the charge?

Mr. Chamberlist: I rise on a point of order, Mr. Speaker. I'm sure that Mr. Speaker knows that no statement like that impugning to a Member in that particular manner is allowed. I raise these allegations because I believe that they were proper allegations and I say again that they were proper allegations. It is improper that if Councillor Tanner had any more experience than he has, he would know that that is improper.

Mr. Speaker: A few points of order. I wonder if I could just caution the Members to try to keep their tempers down in debate. I think it

would save a lot of this friction which arises out of each Member speaking. Will you continue.

Mr. Tanner: Mr. Speaker, every Member spoke to the subject once. I feel that I am entitled to express my opinion and apparently my opinion is in a minority of one. My opinion is somewhat stronger than others and I intend to read what my opinion is, Mr. Speaker. I hope I am not going to be interrupted again.

Mr. Chamberlist: The Chair has ruled.

Mr. Speaker: Order.

Mr. Tanner: It is my suggestion, Mr. Speaker, that in future, if something like this occurs, the type of procedure is given that the procedure should be: the information is given to the Speaker, and the Speaker deal with the matter in the normal course of business and the Speaker rule on whether or not it is pertinent. If he cannot make a decision, he puts the question to the House. The House decides whether the question is of such importance as it should be debated immediately. If it isn't, then it is put to a Committee and is discussed in that manner. I don't think the way we have gone about this one, is correct, which is not saying what happened ten years ago was correct either.

Mr. Speaker, the Executive Committee Members have been under constant attack ever since the inception of our type of Government. Councillor Chamberlist suffered more abuse and more criticism from all sectors of the public and from this House than from anybody. Most of it, in my opinion Mr. Speaker, was unwarranted. He defended the

concept and he withstood the abuse. But surely, he now does not want to destroy everything in this, in my opinion, unwarranted attack on Mrs. Watson. He, of any of us, should appreciate the necessity of responsible opposition. Not public pillaring and not personal attacks. Mr. Speaker, I am personally ashamed to have been associated with what has gone on in this House during the past few days. Nobody has won. Mrs. Watson has had her reputation and that of her family questioned. Councillor Chamberlist has made public charges which are not upheld by any single Member of the House. The Council, as a whole, has been performing, has not been performing the duties they were elected to perform, and all of us are responsible for bringing this House into disrespect in the eyes of the public.

Who, Mr. Speaker, would want to let their name stand for public office or as a Member of this Council in the future when they leave themselves open to personal attack and probable abuse. Personally, I do not believe the Chairman's report goes far enough. I think the Councillor for Whitehorse East should either apologize to Mrs. Watson or should be disciplined by the House. Thank you, Mr. Speaker.

Mr. Speaker: I think at this point, in closing this matter, I think that I would comment in relation to the suggestion that has been forthcoming during this Session, that our procedures are wrong and I have given a good deal of consideration from time to time as this question has arisen to this matter. I find it difficult from the Chair to agree that the procedures that we use are wrong. Basically, for the reason that they have been tried for centuries of experience and usages through British Commonwealth Parliaments, and indeed, today are being used very well and with great success in all the Parliaments in the Dominion of Canada. I would suggest for the edification of all Members, in the interest of all Members of the House, that possibly a deeper study in a spare moment of the rules and the annotations and precedents that accompany the rules of the House would more clearly point out to you how flexible the rules can be, if they are clearly understood. I thank the Honourable Members for their conduct in the matter which has gone before and that matter is now concluded. Are there any introductions of Bills? Are there any introductions of Bills? Order, please. Are there any Notices of Motions? Order, please. The Honourable Member for Whitehorse East.

Mr. Chamberlist: Mr. Speaker, I give Notice of Motion, moved by myself, seconded by Councillor McKinnon, that all aspects of the constitution of the Advisory Committee on Finance as constituted under Section 12 of the Yukon Act, including membership, appointments and revoking of appointments, be discussed in Committee of the Whole.

Mr. Speaker: I believe next to rise was the Honourable Member for Whitehorse North.

Mr. Tanner: Mr. Speaker, it is quite obvious what has happened. The Honourable Member for Whitehorse East has obviously attempted to not allow Motions which he would want to be made.

Mr. Chamberlist: I object.

Mr. Speaker: Order, order please. I have called for Notices of Motion. Does the Honourable Member raise a question of privilege?

Mr. Tanner: I don't know, Mr. Speaker. Mr. Speaker, I wish to give Notice of Motion, seconded by Councillor Watson, that Council

recommends that the Commissioner of the Yukon Territory revoke the appointment of the Honourable Member for Whitehorse East, Norman Chamberlist, as a Member of the Advisory Committee of Finance.

Mr. Speaker: I believe the Honourable Member for Carmacks-Kluane was next.

Mrs. Watson: I withdraw my comment.

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

Mr. Stutter: Yes, Mr. Speaker.

Mr. Speaker: The Honourable Member for Dawson.

Mr. Stutter: I wish to give Notice of Motion, seconded by Councillor Watson, that this Council recommends the Commissioner of the Yukon Territory appoint the Honourable Member for Whitehorse North, Clive Tanner, as a Member of the Financial Advisory Committee.

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

Mr. Tanner: Yes, Mr. Speaker, I have a further Notice of Motion which I don't have a seconder for. I'm going to read the full Motion, "Whereas the Councillor for Carmacks-Kluane was charged with a breach of duty as a Member of the Executive Committee and as a Member of the Territorial Council, and these charges were found not to be justified. That this House recommends that the Commissioner insert an item in the forthcoming budget for the purpose of paying any legal expenses incurred by the Councillor for Carmacks-Kluane in respect of the allegations made against her by the Councillor for Whitehorse East."

Mr. Speaker: I think I would rule that Motion out of order. I believe the Honourable Member would agree.

Mr. Tanner: Mr. Speaker, could I ask why you would rule it out of order?

Mr. Speaker: I would rule it out of order because it is dealing with a matter that has now been decided by the House and if the Honourable Member wished, I think that the intent of his Motion is reasonable, but he wishes to produce it, I would give him assistance at a later moment, and show him in the rules how he may accomplish this.

Mr. Tanner: Mr. Speaker, I appreciate your guidance and assistance and I thank you for it. Can we have some Notices of Motion so that I can proceed so that something can be done on this matter?

Mr. Speaker: I would suggest that you give Notice of Motion respecting at this time, respecting the payment of fees. However you wish to do that is fine. As long as you can make it so that it is in order, the Chair would be more than pleased to accept it.

Mr. Tanner: Mr. Chairman, then I'll give Notice of Motion regarding payment of fees concerning the Member for Carmacks-Kluane. Thank you, Mr. Speaker.

Mr. Chamberlist: Perhaps with a point of order, Mr. Speaker. Perhaps the Honourable Member should have it pointed out to him that only the Commissioner can bring forward matters of money. Perhaps he hasn't learned yet even though he has been on the Executive Committee for a short while ...

Mr. Tanner: Mr. Chairman ...

Mr. Speaker: Order, order please. I believe we will bring an end to this discussion at this time. Are there any further Notices of Motion?

Mr. Tanner: Mr. Speaker, on a point of privilege. There has been an allegation that I don't understand. I perfectly well understand. I'm merely suggesting a suggestion that should go into the Commissioner, not saying that he should do it.

Mr. Speaker: Are there any further Notices of Motion for the production of Papers? Under daily routine, we have no Motions at the moment. We have no Motions for the production of Papers at the moment. Madam Clerk, would you kindly ascertain if Mr. Commissioner would be available for question period? At this time, I'll just declare a brief recess.

RECESS

Mr. Speaker: At this time we will call Committee back to order.

QUESTION RE: POLICY MANUALS TO COUNCILLORS

Mr. Chamberlist: Mr. Speaker, I think we are going to have a long session. My first question this morning, Mr. Speaker, to the Commissioner is this. Mr. Commissioner, I learned to my surprise that Members of Council are not provided with a Policy Manual. I wonder if Mr. Commissioner can indicate why this is not so.

Mr. Commissioner: Well, Mr. Speaker, approximately two or three sessions ago in Council, Honourable Members asked about this and I intimated to them that copies of this Manual were not available to all Members for distribution but there would always be a copy of it in the Council Chambers.

Mr. Chamberlist: Supplementary, Mr. Speaker. Mr. Commissioner, do you expect that the people, Members of Council of outside constituencies who do not have access every day to a copy of the Policy Manual should not have available a copy of the Policy Manual? This is a very lame excuse and when you see that the few printed are, which will be included in the cost of \$55 million dollars budget so that Members of Council can have the Policy Manual? Can you give that assurance to Council?

Mr. Speaker: When Mr. Commissioner answers a question the answer does point a direction for the Council. With that part deleted, the question is quite in order.

Mr. Chamberlist: Thanks Mr. Speaker, I think the Commissioner's got the gist of the question, though he knew this.

Mr. Commissioner: Mr. Speaker, Honourable Members. If you wish this to be done, there is no problem.

QUESTION RE: INVESTIGATION OF SOCIAL WELFARE DEPARTMENT

Mr. Chamberlist: The next question to Mr. Commissioner, Mr. Speaker. Mr. Speaker, I have been given to understand that you have engaged a firm of management consultants to investigate the Welfare Department. Is this for the purpose of putting the guillotine on a very capable man, Mr. Harry Murphy in an attempt to find out ways that you can frighten-

Some Honourable Member: Mr. Speaker

Mr. Chamberlist: Mr. Speaker, I ask the Commissioner to answer the question.

Mr. Speaker: From the Chair I am having difficulty with the question as posed. I don't think.....

Mr. Chamberlist: I'll abbreviate it. Is it not a fact Mr. Commissioner, that you have called in a firm of management consultants to investigate the Social Welfare Department?

Mr. Commissioner: I called in a firm of management consultants to advise me, as Commissioner of the Executive Committee concerning the present management structure and if present organizational structure is of the very best for what the requirements and the duties of the Department are at the present time and whether or not there is any call for any changes in the organization structure to deal with future responsibilities that may be placed upon them.

Mr. Chamberlist: Supplementary, Mr. Speaker; Will the information that you receive, in any way, indicate whether or not you will be dispensing with the services of the Director of Social Welfare?

Mr. Speaker: I don't think that question is in order. I think the Commissioner has the right to

Mr. Chamberlist: He has no right to refuse to answer it. So I take it, Mr. Speaker, that Mr. Commissioner has refused to answer the question. The question has been put. I have asked, Mr. Speaker, whether the Commissioner has brought this organization in and asked him whether as a result of the investigation, he is going to use that information for the purpose of dismissing Mr. Harry Murphy, the Director of Social Welfare.

Mr. Commissioner: Mr. Speaker, the answer to that question is a flat "no".

Mr. Chamberlist: Good, that's all I want to hear.

Mr. Commissioner: Wait, wait, the firm of management control was brought in for the purpose

QUESTION RE: CONSTRUCTION OF LEWES DAM

Mr. McKinnon: Mr. Speaker, I would like to ask Mr. Commissioner whether the Government has studied the application of the Northern Canada Power Commission to build the Lewes Dam and raise the level of Marsh Lake to its historical high level water mark, whether the Government is going to take any official stand and make presentation to the Water Board and ask the people of the Yukon Territory in this regard.

Mr. Commissioner: Mr. Speaker, may I be permitted to make the questions in a couple . . . First, I think the Honourable Member asked if we had examined the request made by the Northern Canada Power Commission and the Water Board for the raising of the water levels. I have asked for a copy of the presentation that was made by the Northern Canada Power Commission and this has been provided but it was also provided either with the statement made by the Water Board. More detail has to be acquired. Once this has been made available then we will be in some kind of a position to have an

examination of the question raised by the Honourable Member and then, and only then, will I be in any kind of a position to properly answer the balance of the question by the Honourable Member. And I say this to you Mr. Speaker, that this is a matter of very great concern as far as the Government of the Yukon is concerned. Not only insofar as the question specifically raised by the Honourable Member, namely the raising of the level of Marsh Lake to its historic high level, if that is the correct terminology. But, with regards to the provisional long-range of adequate hydro electric generated power of the Yukon Territory. This is the basic question, Mr. Speaker. This second question, Mr. Speaker, is the one of particular interest to the Honourable Member and until we get further information on it, it is just not possible for me to provide the answers.

QUESTION RE: YUKON GOVERNMENT REPRESENTATION ON BEHALF OF NURSES.

Mr. McKinnon: Mr. Speaker, I would like to ask Mr. Commissioner if the Government of the Yukon has made any representation to the Minister of Health on behalf of the nurses in the Yukon who work under the Department of National Health and Welfare. I think they are being treated extremely shoddily and the representation to the federal authorities on their behalf.

Mr. Commissioner: Mr. Speaker, the answer is in the negative. We have not made any representations. If it is the wish of this Council they could go on record with regards to anything of this nature....we have not made any attempt at all.

QUESTION RE: ENFORCEMENT OF CONSUMERS' PROTECTION ORDINANCE

Mr. McKinnon: Mr. Speaker, I would like to ask Mr. Commissioner another question. It seems to me there is a very serious charge has been levelled against the Government by the Consumer's Association who says the Government of the Yukon Territory flatly refuses to enforce the terms of the Consumers' Protection Ordinance. I wonder if Mr. Speaker would care to comment on this, in fact I consider it such a serious allegation I'm always making the point - what's the use of having legislation if nobody is going to enforce it. Whether he would like notice on this to be able to give a written reply to Council.

Mr. Commissioner: Mr. Speaker, with respect, now I would have to have notice on this particular question because my immediate...what I have read in the newspaper...

QUESTION RE: DOCUMENT OUTLINING FUNCTIONS OF EXECUTIVE COMMITTEE

Mr. McKinnon: Mr. Speaker, during the deliberations of Justice Morrow in the case of the Honourable Member from Whitehorse East versus the Commissioner, it came out in public that there was an internal working document for the Executive Committee outlining the mechanics and functions of the Executive Committee. I find it really appalling that these things are considered to be privy and confidential information. Certainly if all Members of Council don't have the opportunity of knowing how the government is functioning, how in the world are we even supposed to know. We're expect

ed to act in regard to government programs and policies. Certainly Mr. Speaker, I would like to ask Mr. Commissioner whether these documents can be taken off the confidential and privy list and at least be made available to all Members of Council. So that if the individual Member of Council, not being member of the Executive, could have some concept of what you people are trying to do because it is pretty hard to understand you a lot of times.

Mr. Commissioner: I'll certainly take this under advisement.

QUESTION RE: ADMINISTRATOR IN COMMISSIONER'S ABSENCE

Mr. Chamberlist: Now Mr. Speaker, a question to Mr. Commissioner. Mr. Commissioner, Section 5 of the Yukon Act reads as follows: "The Governor-in-Council may appoint an administrator to execute the office and functions of the Commissioner during his absence or illness or other inability or when the office of the Commissioner is vacant." Mr. Commissioner, would you indicate under what authority Mr. Finland acts in his capacity as Assistant Commissioner?

Mr. Commissioner: I have no answer to that question.

Mr. Chamberlist: I would have to ask whether the Commissioner is going to bring an answer forward so that we know - under what authority the person who is a member of the public service of the Federal Government is giving instructions to members of the Public Service of the Yukon Territory. Now, whether Mr. Commissioner is going to find the authority for having this happen. Whether the Commissioner has said so, and he hasn't said so and I would like an answer.

Mr. Speaker: I believe Mr. Commissioner has indicated that he will take that as notice.

QUESTION RE: POWERS OF ASSISTANT COMMISSIONER

Mr. Chamberlist: Mr. Commissioner, under the Public Service Ordinance, Public Service Ordinance indicates that every person employed in the public service shall be an employee. All the public service. Would Mr. Commissioner also ascertain whether or not the Assistant Commissioner who is appointed, only when he is absent, has the power under the Public Service Ordinance, to act in any other capacity. Would I get the indication from Mr. Commissioner to examine that too?

Mr. Speaker: This would be considered as supplementary to your first question?

QUESTION RE: JUSTICE MORROW'S JUDGEMENT

Mr. Chamberlist: Yes sir. Now, I have now two questions to ask Mr. Commissioner relating to the points discussed-- I raised yesterday. Would the Commissioner indicate why he has circumvented the judgement of Mr. Justice Morrow by having meetings held with members of the federal government and the Members of the Executive Committee and the Acting Treasurer dealing with the Budget for 1974/75 and subsequent program forecasts.

Mr. Commissioner: Mr. Speaker, I am not aware I circumvented.

Mr. Chamberlist: Mr. Speaker, Mr. Commissioner, are you aware that the Director of Territorial Affairs and a team of federal government personnel met with the Assistant Commissioner, Mr. Miller and the Acting Treasurer and have discussed the Budget which was written down during invalidated meetings?

Mr. Commissioner: Mr. Speaker, I am not aware of any such discussions.

Mr. Chamberlist: Does Mr. Commissioner say that he does not know that the Director of Territorial Affairs and government personnel were in the Yukon last week and is he saying he did not meet with any of them?

Mr. Commissioner: Mr. Speaker, I haven't said any such thing.

Mr. Chamberlist: Well why didn't you say something? Mr. Speaker, Mr. Commissioner should say something.

Mr. Speaker: Order please. I think this is the prerogative of the Commissioner to answer the question in any way.

QUESTION RE: YTA SALARY COMMITTEE AND ADVISORY COMMITTEE MEETINGS

Mr. Chamberlist: Yes, it is the prerogative of the Commissioner to answer the question but he hasn't answered it so we will leave that one and Members of Council can draw their own conclusion. Now, Mr. Speaker, Mr. Commissioner is aware that the Y.T.A. Salary Committee and the Advisory Committee, Education both set up in accordance with Section 98 of the School Ordinance met and during these meetings a Member of Territorial Council was not present. Is Mr. Commissioner aware that the meetings have been invalidated by that particular reason: That there was not a Member of Territorial Council there.

Mr. Commissioner: Mr. Speaker, the Member appointed by the Territorial Council, or nominated by the Territorial Council to sit at these meetings came here to Whitehorse more to be a part here, and in the course of these meetings was taken ill. I have no particular machinery to have a substitute for him and I have not been requested by this Member to act on this particular situation. It was one of the very obvious and very important that we asked in the first instance at the negotiating table for a two week recess to these meetings, to at least see if the Member appointed by the Council was going to be able to continue or if it would be a matter of coming back to Council and seeking a substitute Member for him. I am fully aware of the requirements under the Schools Ordinance that a Member of Territorial Council sit on this Salary Negotiating Team. Mr. Speaker, as there was no attempt to undermine that particular situation by anyone that I am aware of.

Mr. Chamberlist: Mr. Speaker, isn't it correct, Mr. Commissioner, that Councillor Rivett attended part of Monday night's meeting only, and not on any of the consecutive days? Therefore, while Council was sitting, is it not correct that Mr. Commissioner could have made a request to comply with the Ordinance of the Territorial Council by having a person appointed temporarily?

Mr. Commissioner: Mr. Speaker, I think that request should come from the Honourable Member

that represents this House at that table to the Commissioner and I have had no such request.

Mr. Chamberlist: With respect, Mr. Speaker, I am not going to go into debate because it is obviously evident that Mr. Commissioner is attempting once again to get around the breach of the Ordinance. Mr. Speaker, I wonder if he would indicate this: Whether or not, as a result of the breaking off of these negotiations and the amount of the expense that he has put to the YTA (because the negotiations were broken off by the Territorial Government) is it the intention of the Government to reimburse the Yukon Teachers' Association for the invalid meetings?

Mr. Commissioner: Mr. Speaker, the negotiations were broken off by mutual consent.

Mr. Chamberlist: The information that I hope the Commissioner would answer is that the Members of the Salary Committee were there to proceed, but the Members of the Advisory Committee came in, didn't take off their coats, and said that they had received instructions to break off. Is this correct?

Mr. Speaker: Order please. What is the question?

Mr. Chamberlist: I have made a statement and I ask if it is correct.

Mr. Commissioner: Mr. Speaker, I read this in the newspapers.

Mr. Chamberlist: I take it then, Mr. Speaker, that Mr. Commissioner isn't aware of much that is going on in his administration.

Mr. Tanner: Oh, come on.

Mr. Speaker: Are there any further questions?

QUESTION RE: FUNDS FOR AGRICULTURAL STUDY

Mr. McKinnon: Mr. Speaker, I would like to ask the Chairman of the Financial Advisory Committee where the \$42,000 for an Agricultural Study is found in last year's budget.

Mr. Chamberlist: Yes, as Chairman of the Financial Advisory Committee...

Mr. Tanner: Point of order...

Mr. Speaker: Order. I will hear the point of order first.

Mr. Tanner: Mr. Speaker, as far as I know, and this is my understanding, there is no Chairman of the Financial Advisory Committee in this House.

Mr. Chamberlist: Well, now I request, Mr. Speaker ...

Mrs. Watson: There is no Chairman of the Financial Advisory Committee.

Mr. MacKinnon: Mr. Speaker, can I readress my question to the Commissioner then, since there is no Chairman of the Financial Advisory Committee.

Mr. Commissioner: Professional and Special Services under the Department of Local Government.

Mr. Chamberlist: Point of order. I would like to put a question to Mr. Speaker. Mr. Speaker, during the time that you were a Member of the Financial Advisory Committee, was it not so that when Mrs. Watson was also in that Financial Advisory Committee that it was mutually agreed that I would be the Chairman of the Financial Advisory Committee? I just wanted to have an answer to that.

Mr. Speaker: The Member is quite correct.

Mr. Chamberlist: Thank you, Mr. Speaker.

Mrs. Watson: Oh, Mr. Speaker, this was one person who didn't agree to that. I am surprised at the Honourable Member sitting in the Chair would agree to...

Mr. Chamberlist: Oh, yes you did.

QUESTION RE: BILLBOARD SIGNS ON YUKON HIGHWAYS

Mr. McKinnon: Mr. Speaker, I have a question that I have been trying to get an answer to for several years. Because of my frustration in trying to deal with this, my preamble is rather long and I hope that you will bide with me in trying to bring in the background of the question in hoping for an answer this time from the Commissioner.

Mr. Speaker: Hopefully the Honourable Member can keep it as brief as possible.

Mr. McKinnon: On February 9, 1972, almost two years to this day, I asked Mr. Commissioner about removing billboards from the Yukon Highways. The Commissioner answered, Mr. Speaker "There are times when the Administration is criticized for not obeying the wishes of this House. I would like to assure the Honourable Member that if a favourable motion directing the Administration to remove these billboards passes this House, in the next twenty-four hours, we will get rid of them." On March 14th, 1972, a motion was passed by this House, requesting the Administration make regulations regarding highway signs on the Yukon Highways. On Thursday, December 7, 1972, I asked Mr. Commissioner whether he needed a further 24 hours, 24 months or 24 years to get any action. He replied that he would report back to the House as quickly as possible. Again on July 26, 1972, I asked Mr. Commissioner when the regulations would be going into effect. The Commissioner replied that he believed that progress was being made and that a written answer would be given to Council. Mr. Commissioner, by my arithmetic it being some 17,817 hours beyond the promised 24 hour deadline for action, I wonder if there is even the remotest possibility of anything happening in this regard.

Mr. Commissioner: Mr. Speaker, the calculations made by the Honourable Member differ from mine by a few hours, but you know, some things take a little longer than others. The progress that is being made in the control of billboards has been very substantial, Mr. Speaker. While a complete and utter removal of these things certainly has not been accomplished, we have gone a long way towards it with the help of the Council who agreed to the expenditure of considerable sums of money in connection with the creation of lunch stop areas where we can have proper signposts. We hope to proceed with this as soon as ground conditions permit. I think we have done very well, and I think in all fairness to the Honourable Member, I think he is entitled to an item by item enumer-

ation of what has been accomplished, irrespective of whether he considers that the number of hours that have transpired have or haven't been enough. I will table a detailed enumeration of what has been done, billboard by billboard throughout the Yukon Territory.

Mr. McKinnon: Will that include a policy for the future, which no individual Members of Council have seen as to the plans for the 1974 year. One would have to be blind not to realize that there has been a proliferation of billboards, no matter what the Commissioner says.

Mr. Commissioner: The answer is in the affirmative.

Mr. Speaker: Any further questions? The Honourable Member from Dawson.

QUESTION RE: PORCUPINE RIVER BANK EROSION

Mr. Stutter: Mr. Speaker, my question is rather earthy after the ones that have already been asked, but I would like to ask Mr. Commissioner what provisions have been made for the stabilization of the river bank in Old Crow, the Porcupine River bank.

Mr. Commissioner: Mr. Speaker, could I table a written answer to this question. There has been definite progress made in this regard, but I would like to have the opportunity to table a written answer.

Mr. Speaker: Would it be agreed by the Honourable Member that the Commissioner take notice on this.

Mr. Stutter: Yes.

QUESTION RE: TABLING OF ANSWERS TO QUESTIONS

Mr. Chamberlist: I wonder, Mr. Speaker, if Mr. Commissioner could indicate that answers to various questions that have been asked would be forthcoming for the Monday morning session.

Mr. Commissioner: Mr. Speaker, I cannot make that promise. I will have them as soon as possible but I can't promise ...

QUESTION RE: INDIAN LAND CLAIMS NEGOTIATIONS

Mr. Chamberlist: I have another question that I would like to put to Mr. Commissioner. When is Mr. Commissioner intending to give information to the public at large as to the status of the negotiations that are being held on a continuing basis vis-a-vis the Indian Land Claims.

Mr. Commissioner: Mr. Speaker, I was very hopeful that there would be an opportunity for my Minister to address a group such as the Chamber of Commerce or something along these lines, at which times this might well have been one of the times in which he would have had the opportunity to speak publicly on this. This apparently is not going to be possible due to the pressures of Parliament that are going to be on my Minister when he is going to be here sometime this coming weekend. I think the question that has been raised by the Honourable Member - there is no one that would be any more desirous than I am of seeing a public statement or an indication to the general public. The problem is that of the Minister, who was the man who was in charge of this, really, on the Government side, and if the Honourable Member would allow me the opportunity of having a little bit of time on

this particular thing, I will endeavor to advise the Honourable Members as to just what kind of a format will be defined in such a statement, if you wish to put it that way.

Mr. Chamberlist: Supplementary question. In view of the fact that the Territorial Government has its own Department that is dealing with putting this information together for the Yukon Territory, the people of the Yukon Territory specifically, will the Commissioner include in that particular statement, for the Minister or for himself, the stand of the Territorial Government, because I think that this is what the public wants more than the Federal stand.

Mr. Commissioner: Mr. Speaker, I agree wholeheartedly with the question that the Honourable Member raises, and I ask that this be - that I be given the opportunity in a similar manner to the previous question.

QUESTION RE: DISPOSAL OF BOTTLES

Mr. Speaker: The Honourable Member from Dawson.

Mr. Stutter: Mr. Speaker, I would like to ask the Commissioner a question. First of all I would like to make a statement. About 18 months ago, and possibly a little longer, Council was told that the Administration was working on a paper concerning disposable or non-disposable bottles in the Territory. I would like to ask if that paper is to be presented to Council in the near future.

Mr. Commissioner: I would have to check on where this is. It is in preparation, but I know that a tremendous amount of work has been done on this particular matter. Mr. Speaker, I would like to say while I am on my feet, that in some areas of the western United States where this has been really put forth in a very substantial manner. I believe it is the state of Oregon that we have been using as a model on this particular thing. Difficulties are being encountered of a very serious nature. If the Honourable Member would allow me time on this I will know exactly where that stands.

Mr. Speaker: Is this agreed by the Honourable Member?

Mr. Stutter: Agreed.

Mr. Speaker: Any further questions? There being no further questions, I would like to thank Mr. Commissioner for his attendance and forbearance this morning.

Under daily routine, the next item is Private Bills and Orders. I wonder if the Honourable Member from Dawson could take the Chair at this time.

Mr. Stutter takes the Chair.

BILL NO. 1 FIRST READING

Mr. Taylor: Mr. Speaker, I would like at this time to move First Reading be given to Bill No. 1, namely An Ordinance to Amend the Electrical Public Utilities Ordinance. This is seconded by Councillor McKinnon, Mr. Speaker.

Mr. Speaker: Mrs. Watson.

Mrs. Watson: Mr. Speaker, I don't know whether this is the right time to speak on this motion or not...

Mr. Speaker: The Bill has not yet been read.

Mrs. Watson: Thank you, Mr. Speaker.

Mr. Speaker: When shall the Bill be read for the first time?

Mr. Taylor: Mr. Speaker, I would once again move that First Reading be given to Bill No. 1, namely an Ordinance to Amend the Electrical Public Utilities Ordinance. Seconded by Councillor McKinnon.

Mr. Speaker: It has been moved by Councillor Taylor, seconded by Councillor McKinnon that Bill No. 1, An Ordinance to Amend the Electric Public Utilities Ordinance be read for the first time. Are you agreed? When shall the Bill be read for the second time?

BILL NO. 1 SECOND READING

It was moved by Councillor Taylor, seconded by Councillor McKinnon, that Bill No. 1, an Ordinance to Amend the Electric Public Utilities Ordinance, be given Second Reading.

Mrs. Watson: Mr. Speaker, I would like to speak on that motion.

Mr. Chamberlist: Wait until the motion is put. Wait until it is put, and then speak.

Mr. Speaker: It has been moved by Councillor Taylor, seconded by Councillor McKinnon, that Bill No. 1, namely an Ordinance to Amend the Electrical Public Utilities Ordinance, be given Second Reading.

Mrs. Watson: Mr. Speaker, am I able to speak now?

Mr. Speaker: You may.

Mr. Chamberlist: If you speak on the principle.

Mrs. Watson: I am going to have to vote against this Bill being given Second Reading at this time, because while I think the Bill is certainly very justified and I certainly commend the Honourable Member from Watson Lake for bringing this Bill forward as a Private Members' Bill, I would like to indicate to him that at the present time the Government is reviewing this Bill. The section that he has brought to our attention in the Private Bill is certainly being reviewed and there are other sections that are being reviewed. Because the Bill is just now being utilized by the Commission, there are a few other areas that would possibly require some very minor amendments but would be very necessary amendments. So I would ask the Honourable Member to understand that in my voting against the Bill, I am not voting against the principle of the amendment that is being brought forth. It is certainly very justifiable, and in the Bill that is brought down by the Government in March, the amendments that he has requested will certainly be taken care of.

Mr. Tanner: I will confirm what the Honourable Member from Carmacks-Kluane says, and I also will be voting against the Bill for the same reasons. I might just say that I commend the Member for bringing it to the attention of the Government. Although we did have it in hand, this has made it more pertinent. Secondly, if we ever get there, I will personally guarantee that a Bill will be brought forward at the next Session.

Mr. Taylor: Mr. Speaker, just in speaking on the principle of the Bill. The Bill was designed to alleviate what is a major emergency situation - well, emergency, perhaps I shouldn't use that

word - but it is a very distressing situation in the community of Ross River and the Community of Teslin. And indeed, time is of the essence. The sooner the people find the relief that is embodied in this Bill, the sooner they can find relief to their problems. Indeed, I simply point out that we cannot always wait for the Administration to resolve these things. Sometimes these things take years to resolve. For instance, we have been here some ten days already and are now just getting down to the work of the public of the Territory. I would ask for support of all Members to this Bill. If there are, of course, further amendments coming, then these can also be added at the Spring Session. I see no difficulty in that whatsoever.

Mr. Chamberlist: I might say that all matters that come before Council deal with the public. I will support this Bill for the simple reason that it is necessary to get this particular item of legislation as early as possible. I think that because both the Honourable Member from Carmacks-Kluane and the Honourable Member from Whitehorse North, Executive Committee Members, have agreed that it is a fundamentally needed amendment when they spoke on its principle, that these two should give it the support now that it is before us. Then we can cooperate with anything else in the changes that will come the next time around.

Mr. McKinnon: Question.

Mr. Tanner: Point of order. Are you going to call the question now, on second reading? Perhaps you can correct me, but it was my understanding that when a vote was going to be put, that the Speaker was going to be in the Chair.

Mr. Taylor: The Chair must admit that on this particular issue I am somewhat at a loss. Mr. Speaker, I would resume the Chair. It hadn't occurred to me that this issue would be in any question inasmuch as it is a matter affecting the people. But at this time before the vote is taken I will resume the Chair.

Mr. Speaker: It has been moved by the Honourable Member from Watson Lake, seconded by the Honourable Member from Whitehorse West, that Second Reading be now given to an Ordinance entitled An Ordinance to Amend the Electrical Public Utilities Ordinance. Are you prepared for the question?

Some Honourable Members: Question.

Mr. Stutter: Mr. Speaker, I don't believe I have had a chance to talk to this Bill on Second Reading either. It does appear to me that as long as assurance has been given by the two Executive Members that this Bill is to be brought up at the next Session of Council together with other amendments, and due to the fact that this Bill had, with its present make-up, been in existence for some time now, I see very little reason why another three weeks or one month is going to make that much difference to this one particular item. This one particular item, I believe, could have been changed in the form of a motion, as have other Bills, such as the Holiday for Dawson Area, for one, was just done through the form of a motion. I would suggest that this Bill be held over until the next Session of Council.

Mr. McKinnon: Mr. Speaker, I haven't spoken either on Second Reading because it seems to be a standard procedure in this House that even if Members speak on the principle of the Bill on Second Reading, at least they give the Private Member who has done the work of preparing a

Private Member's Bill the opportunity of bringing it into Committee to pursue his arguments in Committee and then the Committee makes the decision on the basis of the strength of his arguments, and all of the information being available upon Second Reading when we go through the Bill clause by clause in Committee, as to whether they will support it or not. I find this pretty difficult to take that Honourable Members are not going to allow an individual Member even the ability to go to Committee to present his case, which he is incapable of doing in one speech before the House and sitting in the Chair. If one examines the past actions of Members of the House, you will see that even Members disagreeing with the principle of the Bill and in Committee disagreed with the arguments and voted against it. At least the privilege was given to the Honourable Member of going to Committee and presenting his arguments and the opposition bringing their opposition to it. It is pretty dangerous, particularly with a Private Member's Bill, when a Private Member is trying to do his best job in a particular instance for his constituents, is not even going to get the privilege of bringing his arguments before Committee. Because of these reasons I have always in the past, and am going to continue to support the individual Member who wants to bring constituent problems to the Committee table. There is no question in my mind that even if, after hearing the arguments from the Executive Committee members and seconding their Bill, if I find that they have a better case I will vote against the Bill. But they are going to have every opportunity as far as I am concerned to bring their arguments before the Committee.

Mr. Stutter: Mr. Speaker, on a point of order. I for one certainly did not state that I in any way disagreed with what you yourself have come forward with. I support your amendment 100%. The only point that I was making was that if there are to be other amendments, it seems like a complete duplication of amendments between now and a month from now. You have no resistance.

Mr. McKinnon: We are getting exactly into the debate, Mr. Speaker, on a point of order, that we should be getting into in Committee. That is the whole point, Mr. Speaker, that we should be getting into Committee where the whole thing can be examined.

Mr. Chamberlist: I would like to move a procedural motion...

Mrs. Watson: Question. Question.

Mr. Speaker: Order.

Mr. Chamberlist: Honourable Member...

Mrs. Watson: Mr. Speaker, you have a question before the House...

Mr. Chamberlist: A procedural motion is in order...

Mrs. Watson: Point of Order.

Mr. Chamberlist: A procedural motion is in order at all times...

Mr. Speaker: I rule that I cannot rule otherwise as I am guided by the Rules of the House. May I hear the procedural motion.

Mrs. Watson: Mr. Speaker...

Mr. Speaker: Order please.

Mrs. Watson: There is a point of order and there is a question before the House.

Mr. Speaker: May I have order please. May I hear the procedural motion.

Mr. Chamberlist: Mr. Speaker, I move that Bill No. 1 be moved into Committee of the Whole for discussion.

Mr. Speaker: I would have to rule that motion out of order at this time because no Bill, until it has received Second Reading, can be moved into Committee.

Mr. McKinnon: Question.

Mr. Speaker: Are you agreed? Madam Clerk, will you poll the House.

Madam Clerk: The Honourable Member from Carmacks-Kluane?

Mrs. Watson: Disagree.

Madam Clerk: The Honourable Member from Whitehorse West.

Mr. McKinnon: Agreed.

Madam Clerk: The Honourable Member from Dawson.

Mr. Stutter: Disagree.

Madam Clerk: The Honourable Member from Whitehorse East.

Mr. Chamberlist: Agreed.

Madam Clerk: The Honourable Member from Whitehorse North.

Mr. Tanner: Disagree.

Madam Clerk: Mr. Speaker, the vote is two yea, three nay.

Mr. Speaker: I declare that the motion has been defeated.

MOTION DEFEATED.

Mr. Speaker: The next item on the daily routine is Public Bills and Orders. Since there are no Public Bills and Orders at this time, what is your further pleasure?

Mr. Chamberlist: Mr. Speaker, I would just like to, on a point of privilege, state one point. In all my years of experience on the Territorial Council, this is the first time that a Bill has not been given Second Reading for the purpose of passing into Committee. I just wanted to point that out, Mr. Speaker.

Mr. Speaker: What is your further pleasure at this time?

Mr. Chamberlist: Let's dissolve Council.

Mr. Speaker: The issue is to adjourn.

Mr. Stutter: I wonder if it is possible to waive Standing Orders and get on with the business of the House. I am asking for unanimous consent to do this.

Mr. Chamberlist: Disagree.

Mr. Speaker: If Members wish to proceed today, it would necessary for a Member or Members to propose a motion suspending Standing Order #41 or our Rule 29 for the purpose of further processing Motions, Bills or whatever it might be.

Mr. Tanner: Mr. Speaker, it has been indicated already that that won't get unanimous consent and therefore I would move to call it 5:00.

Mr. Speaker: Are you agreed? This House now stands adjourned until 10:00 a.m. Monday morning.

Adjourned

Monday, February 25, 1974
10:00 a.m.

Mr. Speaker reads the daily prayer.

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

Madam Clerk: There is, Mr. Speaker.

Mr. Speaker: This Council will now come to order.

Mr. McKinnon: Mr. Speaker, I wonder if I might rise on a question of personal privilege this morning.

First of all I would like to say that contrary to rumors that I have already heard, my physical condition in the House this morning is not as a result of having met the Member from Whitehorse East in an alley over the weekend.

Mr. Speaker, I think that this is a matter in which I personally have invested interest, but more than that I think that every member of the public of the Yukon Territory has invested interest in it. I think that is extremely important for us to realize that in this instance that everything that is wrong with the government of the Yukon Territory is involved in this question of privilege.

Mr. Speaker, it came to my attention over the weekend, the actual formal application of the Northern Canada Power Commission to reconstruct the Lewis River Dam and also to raise the water level of Marsh Lake to its historic high level.

Mr. Speaker, I can't tell you how angry that one becomes when he sees that a Crown Corporation of the size and the nature of the Northern Canada Power Commission, tries to sneak this one through the Water Board with a one paragraph explanation of what they were attempting to do. Mr. Speaker, if they had been given the permission, they would have, with no consideration, raised the level of the five recreational areas in proximity to Whitehorse and also the finest inland waterway of the Yukon to the historical high level mark with no consideration whatsoever. Historic high level mark on the Marsh Lake chain means that the only warm sandy beach in proximity to Whitehorse is ruined in perpetuity. It means, Mr. Speaker, that many of the cabins are under water. It means, Mr. Speaker, that the erosion of the bank of the Marsh Lake chain from a predominate prevailing south wind would add for more cabins and for more destruction of the shore line. Mr. Speaker, with great credit, the Water Board saw through this shallow application of the N.C.P.C. and demanded that there be more information given before a hearing on the application would be held.

Mr. Speaker, I think that the reason that we take the governments that we find in the Yukon, the reason that we can take the high taxes and everything else is that five minutes we are away from it all and we're in the Yukon. The real reason that we're being here is that we can get away from it all. Mr. Charlie Taylor who has been a resident and uses the Marsh Lake and that chain of lakes as an area for enjoyment, stated and I think that his remarks are very apropos. They've taken away Whitehorse Rapids, Aishihik and now they want Marsh Lake too. They are just like little boys playing with peanuts.

Mr. Speaker, somewhere along the line, the people of the Yukon have to say, this is it, this enough, we've had it and if this is the battle ground

that they want to fight on, there is no better battle ground, Mr. Speaker, because if the people of the Yukon are going to allow these things to be taken away from them, the governments of the Federal Government and the Yukon Territorial Government is going to allow these things to be taken away from us then the be all and end all of living in the Yukon Territory has been completely taken away from us.

Mr. Speaker, I'm not a sneaky fighter, I'm an open fighter and I serve notice in this House on N.C.P.C. that there is no way that the people of the Yukon are going to stand for the unmitigated gall and the discourtesy that they have shown to the people of the Yukon in that application towards completely destroying the prime recreational area. We've saved it from timber cutting at one time before and we're damn well going to save it from the N.C.P.C. too. Thank you, Mr. Speaker.

Mr. Speaker: We can proceed now with the Orders of the Day. Are there any documents or correspondence for tabling? Are there any reports of Committee? Are there any Bills to be introduced? Are there any Notices of Motion or Resolutions?

Mr. Tanner: Yes, Mr. Speaker, I have a Notice of Motion concerning Section 12 of the Yukon Act.

Mr. Speaker: Are there any further Notices of Motion or Resolution? Are there any Notices of Motion for the Production of Papers? We will then proceed to the daily routine.

Mr. Tanner: Mr. Speaker, on a point of order. I believe, Mr. Speaker, that all Members understand that there was some discussion at the last Session on my Motion which appears on the Paper as, Notice of Motion - Reimbursement of Legal Fees to Mrs. Watson.

Mr. Speaker: I wonder if that could be discussed under Motions when we call the Motion on the Order Paper. Would that be agreeable?

Mr. Tanner: Well is it the Speaker's intention to identify the four Motions? I would like to introduce the Motion now.

Mr. Speaker: That is correct. That is the procedure.

Mr. Tanner: Thank you, Mr. Speaker.

Mr. Speaker: Are there any Motions for the Production of Papers? There being no Motions for the Production of Papers on the Order Paper, we will proceed with Motion No. 1.

MOTION NO. 1

It has been moved by Councillor Chamberlist, seconded by Councillor McKinnon that all aspects of the Constitution of the Advisory Committee on Finance as constituted under Section 12 of the Yukon Act, including membership, appointments and revoking of appointments be discussed in Committee of the Whole. Is the Honourable Member prepared to discuss this Motion?

Mr. Tanner: Mr. Speaker, on a point of order. The last seven words of the Motion, "be discussed in Committee of the Whole", make it very obvious that this Motion is a procedural Motion. Might I ask if it is being treated as a procedural Motion or if in fact the substance part of it is being taken into consideration at this time?

Mr. Speaker: I have had an opportunity to view the Motion just prior to our sitting this morning and the Motion does not constitute in essence a procedural Motion. It is a definitive Motion and the House is asked to consider its content and if the House carries this Motion, then it would have the effect of putting the whole matter before discussion in the Committee of the Whole. If the House do not pass the Motion, well then you simply say that you do not wish to discuss this matter in Committee of the Whole and that would, for the purposes of this Session, be the end result.

Mr. Tanner: Mr. Speaker, on a point of order again. I understand you said two things. One is that it is a procedural Motion and secondly, that it is a substantive Motion.

Mr. Speaker: No, if this Motion was raised in debate as a procedural Motion, it would have a different effect, but inasmuch as it is raised under Notices of Motion, it becomes a substantive Motion.

Mrs. Watson: Mr. Speaker, on the point of order. Would you then rule that it would be treated as any normal substantive Motion?

Mr. Speaker: Yes, this is correct.

Mr. Speaker: Would the Honourable Member from Whitehorse East be prepared to discuss this Motion?

Mr. Chamberlist: Yes, Mr. Speaker, I will, because I will have the opportunity of closing off the debate being the mover of the Motion. I will not comment at length, so that other Members have the opportunity of expressing themselves in regards to the main point that is being made that the matter of this description be given complete flexibility of discussion and the only way we can have complete flexibility of discussion under our rules, is to have it in Committee of the Whole.

Now I think that it is necessary to recognize that in Council we play the numbers game because of the short, the few Members of Council we have. But I would like to remind all Members that at no time did I ever refuse to see any Motion that was put forward by anybody, not dealt with in Committee of the Whole if any Members of Council indicated that they wanted it to be dealt with in that manner. I should think that no Member of Council would quite properly and should quite properly object to this being discussed in Committee of the Whole. It takes in completely the whole area of the Advisory Committee on Finance and I have made it quite clear that it includes membership, appointments and revokement of appointments so there can be no doubt of what the intention is, so that every Member will have the opportunity to discuss freely, without restraint, any of the aspects and especially in view of the Honourable Member from Whitehorse North suggesting that he has, that he is giving Notice of Motion, re Section 12 of the Yukon Act and its already incorporated in this particular Motion. I see no reason then why he, at least, should not support the intent of the Motion that he has given Notice of to deal with the area in Section 12 of the Yukon Act. I will stop at this stage and allow other Members to express themselves, basically on the principle that where a Motion is asked for to be discussed in Committee that every latitude be given in exactly the same way as I have given very recently, very very recently, latitude for another area of discussion in Committee of the Whole.

Mr. Speaker: The Honourable Member from Carmacks-Kluane.

Mrs. Watson: Mr. Speaker, I would move an amendment to that Motion. I would move that Motion No. 1 be amended by deleting all the words after the word "that" and substituting the following words thereof: "this House recommends to the Commissioner that Councillor Tanner be appointed to the Advisory Committee on Finance in place of Councillor Norman S. Chamberlist, pursuant to Section 12 of the Yukon Act".

Mr. Chamberlist: A point of order Mr. Speaker, the Honourable Member is perhaps not aware that she cannot do that now that the Motion is already on the floor dealing with both the subject matters that she's already put forward.

Mr. Stutter: A point of order Mr. Speaker, this is not so. I would like to quote from annotation 194 of Beauchesne which says: "A Motion or amendment cannot be put forward which is the same substance and question which has already been decided". I would like to point out that at this point, nothing has been decided.

Mr. Chamberlist: Rising on a point of order made by the Honourable Member. I gave Councillor Tanner notice of the annotation and it is very wise of course, of Councillor Stutter to bring it up. While Councillor Tanner was in the House, I asked him, Mr. Speaker, to give note of that particular section. The interpretation of 194, and I had not wished to raise it because I am not concerned whether it is discussed in the Committee of the Whole, only for the purpose of making amendments. The Motions that already have been placed deal with specific matters. Motion No. 194, relates to a different area entirely. It is once the Motion is dealt with then no other matter can be raised and I would suggest, Mr. Speaker, that the amendment that has been submitted is not in order.

Mr. Speaker: I would have to rule on this matter, and these points of order. I would have to say that indeed an amendment to this Motion would be in order. However, I would like to have a copy of the amendment so that I might consider its contents in this light. Madam Clerk, would you ... Yes, I would have to allow the amendment. It is quite in order. Is there a seconder for the amendment?

Mr. Tanner: Yes, Mr. Speaker, I would second that amendment.

Mr. Speaker: Would you proceed with the discussion on the amendment? The Honourable Member for Carmacks-Kluane.

Mrs. Watson: Mr. Speaker, I am not going to bore the House with any comment upon this amendment. I think it is very straightforward. I think that everyone is aware why this Council Session was called. We have had to get clarification of the membership of the Advisory Committee on Finance. It is our understanding, and I think it was understanding of all of this Council, that membership on the Executive Committee constituted membership on the Advisory Committee on Finance. However, it required a specific resolution to carry this out. And this is the purpose of this amendment.

Mr. Speaker: Honourable Member for Dawson.

Mr. Stutter: Mr. Speaker, on Friday, July 3, 1970, when Sessional Paper No. 33 was being discussed in this House, the three veteran

Members of this House, yourself, Councillor Taylor or Councillor McKinnon and Councillor Chamberlist, were here. It was read from, as you are all aware. Sessional Paper No. 33 dealt largely with the make-up, proposed make-up of Executive Committee. It was read from the Chair, and I will quote, Chairman as saying: "Section C, and it reads: The two Council Members on the Committee are to also be Members of the Financial or of the Advisory Committee on Finance and the Budget Programming Committee." There was considerable discussion on this or some discussion on this in which Councillor Chamberlist played a very prominent part. But later on, in that same day, finally Mr. Chairman called from the Chair, "At this time, I will call Committee, back to order. I am wondering if Committee have anything further on this paper?" At which time Mr. Shaw said, "I have the following Motion in relation to Sessional Paper No. 33. Be it moved that Council approve the general outline of the proposal concerning terms of appointments of two Members of Council to assist the Commissioner in the Executive Government of the Territory outlined in Sessional Paper No. 33. But request, that prior to the issue of formal instructions by the Minister to the Commissioner, the following changes be made." And in those changes, he did not mention any suggested change as to Section C of the Sessional Paper. So at that time, the principle that the two Members who would become Executive Committee Members would also become Members of the Financial Advisory Committee was accepted by, as I say, the three Members, veteran Members. I happen to feel that this is the only way that it can sensibly work. It seems to me it would be ridiculous to suppose that you have two Members of this Council who have elected to the Executive Committee that were not in major decision-making processes that go on in Financial Advisory Committee. As the Yukon Act allows for just three Members on that Committee, and I as the third one that has been appointed by Council, the other two positions have naturally, in my opinion, have to be filled by the two Executive Committee Members. That is the main reason why I am certainly supporting this amendment, Mr. Speaker.

Mr. Speaker: Any further discussion on the amendment? The Honourable Member for Whitehorse West.

Mr. McKinnon: Mr. Speaker, it is a very difficult amendment for me in particular to vote for, because I didn't vote for the Honourable Member for Whitehorse East to be on the Executive Committee or the Financial Advisory Committee. I didn't certainly support the Honourable Member for Whitehorse North to be on the Executive Committee or the Financial Advisory Committee. Fortunately, I don't think it really matters that much because Mr. Speaker's ruling your decision that he will be in the Chair on the vote. So my negative vote on the Motion will not preclude my agreement with Sessional Paper No. 2 and 33 which says that for the Executive Committee system to work, that the Members of the Financial Advisory Committee and the Executive Committee have to be one and the same person. I don't support either the Honourable Member for Whitehorse East or the Honourable Member for Whitehorse North because as this House well knows, I have objected strenuously to their appointment at many times to both the Executive Committee and the Financial Advisory Committee. I just don't have a lot of problems with the forthcoming budget with the knowledge of what I think would probably be the inability of the Honourable Members that now sit on the Advisory Committee to deal with the matters financially, or a \$50 million budget. But that is a debate that we can leave for the budget session, Mr. Speaker.

Mr. Chamberlist: I am one these people, Mr. Speaker, who recognizes the inevitable. As I said earlier, the numbers game comes into play. I would first like to comment on the Honourable Member's for Whitehorse North remarks. Because he was, when setting-up what he thought an appropriate type of group of people in different offices, he did incidentally say quite clearly that because of my knowledge of finance, that he would want me on the Financial Committee and perhaps ... But when things have changed, we all have different political alignments from time to time. Of course the political alignments that come from time to time change quite clearly the situation and that's a situation that happens.. Because I recall very clearly that right at the beginning of this Session of this Council when there was a ploy to make the same two Members, who are the Members of the Executive Committee, Members of the Executive Committee, I remember trying to associate myself with Councillor McKinnon and pointing out quite clearly, let them take their time. They will hang themselves. This is going to happen. Unfortunately, I strengthened the hanging noose for them, because it would show quite clearly how capable they are in these particular matters. In making reference to Councillor McKinnon, or rather to Councillor Stutter. I would like to read into the record at this time, quite clearly and there's an attempt I think been made once more to supersede the intent of Mr. Justice Morrow's ruling. He commented specifically on the, on what I had clearly shown of my feelings vis-a-vis, the Executive Committee and the Advisory Committee on Finance, when on page 146 of the Votes and Proceedings, Volume 1 of the Third Session of 1970, in view of this particular item, I said this. I will just quote just as it is written: in the Votes."Mr. Chamberlist: I have a question. It seems to me that we are now being told to do what the legislative authority of the Yukon Act says that we can do. In other words, the Financial Advisory Committee is a child out of the Yukon Act and the Council itself can appoint the Financial Advisory Committee. Under this paragraph C, it would appear that there is a compulsion being made upon the Council that whoever they choose to be Executive Members, must be chosen as well as Members of the Financial Advisory Committee. Now it may be that this is a good idea, but aren't we being instructed in this particular manner?" And the position, as I take it then, was quite clear. Because I may not get the opportunity of speaking again on this particular matter, I think, and because I made the suggestion and a very strong one, that the Commissioner has been involved in all the situation, I think it is my duty to inform Council in some way reminiscing form, telling exactly what happened and what lead up to the situation vis-a-vis the removal of me from the Advisory Committee of Finance.

When the first problem that arose was when during or just before the commencement of the Advisory Committee on Finance meeting, I brought to the attention of the Treasurer ...

Mrs. Watson: Mr. Speaker, on a point of order. It is not relevant to the Motion at all.

Mr. Speaker: I think that I would have to rule on that point of order because it is not well taken. I believe the amendment refers to the Advisory Committee on Finance and I believe this is what the Honourable Gentleman is referring to. Proceed.

Mrs. Watson: On a point of order. It does not refer to the Honourable Member's membership or his term of office on the ... It refers to his termination on it, specifically, ...

Mr. Speaker: I would rule inasmuch as the main Motion was dealing with all aspects of, the intent of the main Motion we're dealing with all aspects of the Financial Advisory Committee and the amendment now under consideration is related to the Advisory Committee. As long as the Honourable Member stays within the bounds of relevancy that he may be permitted to continue.

Mr. Tanner: Mr. Speaker, on a point of order. Surely the debate at the present time is on the amendment and has nothing to do with the main Motion.

Mr. Speaker: The Chair takes it from listening to the remarks from the Honourable Member that they are related to the Financial Advisory Committee and I would so rule that he be allowed to continue as long as he stays within this relevancy. If he should stray from being relevant, I would have to caution the Member at that time.

Mr. Chamberlist: I will not comment on the attempt of the Members to try and force a closure on me on a matter that they know full well, because they were both present at the time of which this great concern of the Advisory Committee on Finance and the Council. I raised the question of where the funds were being kept for the monies in the Magistrate's Court. I was told by the Treasurer to shut up and get on with the business and it was on this basis ...

Mr. Speaker: Order, please. The Honourable Member for Carmacks-Kluane.

Mrs. Watson: Point of order, Mr. Speaker. That has nothing to do with the Motion. This Motion is very, very specific. I think the Honourable Member should have kept his remarks to specific amendment.

Mr. Speaker: Order, please. Is the Honourable Member referring to an action involving the Financial Advisory Committee?

Mr. Chamberlist: Yes, Mr. Speaker, I am.

Mr. Speaker: Would you proceed?

Mr. Chamberlist: It is my intention to keep completely with discussion on the Advisory Committee on Finance and all the aspects of the commencement of what is now the attempt to remove from. And a successful attempt it is going to be. I am practicable about it.

Mr. Speaker: Order, order please.

Mrs. Watson: Mr. Speaker, the amendment reads this House recommends to the Commissioner that Mr. Tanner be appointed to the Advisory Committee on Finance in place of Councillor Norman S. Chamberlist, pursuant to Section 12 of the Yukon Act. It says nothing about the activity of the Advisory Committee on Finance in the past. Absolutely nothing.

Mr. Speaker: Order please. I believe the Member is attempting to make reference in some manner or another to the matter of the appointment or something in relation to the appointment mentioned in the amendment. I must finally rule as I ruled before, that if the Honourable Member in the opinion of the Chair strays from matters relevant to the question raised in the amendment or the main Motion, as the case might be, then I should have to rule him out of order. Until that does happen, I cannot rule as such. Would the Honourable Member kindly continue?

Mr. Chamberlist: Yes, Mr. Speaker, thank you. I think I should make a position clear that

because this Motion is made by the removed, I have to defend myself as to why I consider there is an attempt being made to remove me. Now, this is all within the scope and once more and once again, it must show again that the Honourable Member for Carmacks-Kluane has not completed her apprenticeship. Perhaps if she just sits tight, she might learn a little bit more. There was occasion that arose where the, as I said, where there was a reference to the funds that were being kept in the Magistrate's Court. It was a case, Mr. Speaker, of where a person had put up bail for a friend and after the person had been dealt with by the Courts, the person went then to collect his bail money from the Court and he had to wait nearly four days. He was not a member of the Yukon community and to wait four days before these funds were to be made available to him. I remonstrated very strongly on this basis because I considered it was a function of the Members of the Advisory Committee on Finance to deal most properly with this. This was the first area.

Then, of course, we came to the situation with reference to the Executive Committee, I make no argument about the situation there at this time. But I think that I must relate that when before the end of November I had requested as to when the Financial Advisory Committee was to meet, and I was told that they were meeting, I then went to the Commissioner and pointed out to him that the Financial Advisory Committee was meeting without me being there. It was on a Thursday. He said to me, "Norm, leave it till Monday and we will discuss this situation then." As a result, I took his word, which I've learned not to trust in him one iota. About a quarter to four on Friday, he telephoned me to say that he had in front of him, two Commissioner's Orders. One revoking my appointment and one appointing Councillor Tanner. I pointed out to him that I didn't have sufficient time to get down to Court to file the necessary documents, but that he had given me his word that there would be further discussion on the Advisory Committee on Finance on Monday. I then went through the various processes of the Court until I guess everyone knows what happened. But in the meantime, I was attempting to get the information on when this Committee was meeting and who was meeting. I asked the Legal Adviser if he would obtain that information for me and he advised me that he was instructed by Mr. Frank Finland not to give me any information on anything. It might be a very important point to know that in filing their defence to the action, the Commissioner admitted to all these obstructions. Here's a position of where a Member of this Territorial Council, who has a right to seek information from the Administration, was deliberately informed that no information would be forthcoming.

To me it was quite clear what the Commissioner's intent was and yet here are two Orders that were signed two months after I had asked the Executive Committee. I cannot help but remark at this time that the Commissioner's Opening Address, where he said in order to clarify the situation, I sought further direction of the Court. Mr. Justice Morrow confirmed my view that meetings of the Committee were invalid. Now if that was his view, that the meetings of the Committee were invalid, why did this man, this Commissioner of the Yukon, this person who has dashed around and created so much havoc among Territorial Councillors might as well come down and sit with a look of propriety on his face and indicate that he doesn't know what's going on about anything in his administration. Mr. Speaker, when one's view with this area of the Advisory Committee on Finance, and one recognizes the different things

he said during evidence given, it was quite clear that he was a purveyor of untruths. A distorter of facts, a destructor of this Council. This is the problem that has arisen under this Committee of Finance situation. Mr. Speaker, I think the time has come along when he recognizes it. When the budget comes down and I must relate during this, a situation developed in the course of Advisory Committee on Finance and I am required to serve subpoenas so that everything was ready for Mr. Justice Morrow when he came down. And as a matter of courtesy I asked Mr. Legal Adviser if he could send a note down to the Committee room where the Members of the Executive Committee were meeting and he did so. I went down with his secretary. The secretary knocked on the door, hands in a note and after five or six minutes (and I know what's going on because I've been in there,) the door opens. The telephone is taken out of the box and there are phone calls being made and then the Territorial Secretary comes to the door and says, "I have been instructed by the Executive Committee Members that they are not ready to receive the subpoenas but to leave it with the secretaries." And these are court orders. I made it necessary then, when the door opened, to go into the door and there was Mr. Merv Miller holding the door against me so I shouldn't go in. It was Charlie Chaplin comedy. So I couldn't serve them with standard court orders. It was quite clear at the time when I served them and I served the Honourable Member from Whitehorse West as well and he didn't want to accept the six dollars conduct money but the other three Members, Commissioner Smith, Mr. Fingland and Mr. Miller, they took the six dollars conduct money. And, you know, I wonder if that's been entered in the Yukon Consolidated Revenue Fund; I think that should be checked. A remark was passed by Mr. Fingland to the effect that it was terrible for me to take action against the Commissioner and Councillor Tanner said an order should be taken against me. You know, this was the type of thing that was going on. So we come to the situation of where.. before the Court the Judge suggests that I be an observer on the Advisory Committee on Finance until such time as the Government.. and out of the corner of my eye I saw arms waving and screams of "no way, no way, no way." And this was coming from my friend here, Councillor Tanner, acting like a ferret. He was running backwards and forwards to the Legal Adviser, passing notes. Comedy, man of status, Executive Committee Member, Member of the Advisory Committee on Finance! What other stupidities came out of these actions there. And of course, then, out of the judgment of the Court as given and as I said last week, and put the question to the Commissioner that the meetings were going on still with the Advisory Committee on Finance and the Director of Territorial Affairs was, and the people from the Federal Government were here. The Commissioner stood up and said "I know of no such meetings." Isn't that another deliberate untruth. There is no doubt at all, Mr. Speaker. And I'm surprised at Councillor Stutter because as I said once before, that when he first came to Council, he used a lot of logic. Now, I think his logic has been lost on the very point of not having the ability or capability of people in the Advisory Committee because one must keep in mind that Councillor Tanner who has been proposed to the Advisory Committee is not a Member of the Executive Committee by capability but by his strategy. So just keep that in mind. And so I'm not going to say anything further now other than to let the chips fall where they may. But I know quite clearly that during the time of the budget session which I understand commences on March 13th, I will ascertain quite clearly what is in the budget. I will ascertain quite clearly what they are trying to hide. I will ascertain quite clearly the manner in which some

of the priorities which are more important to the Yukon than certain ones that I already know of not being used for the benefit of the people of the Yukon. I will know of all these things and I will make it quite clear, Mr. Speaker, that what has happened is one where incompetence is trying to cover up incompetence. And I will open those gates very widely. Thank you, Mr. Speaker.

Some Honourable Member: Question.

Mr. Speaker: Are there any other discussions on the amendment? Order please. Are there any other discussions on the amendment?

AMENDMENT TO MOTION #1

Mr. Speaker: The amendment reads as follows: It has been moved by the Honourable Member from Carmacks-Kluane, seconded by the Honourable Member from Dawson that Motion No. 1 be amended to read: "That this House recommends to the Commissioner that Councillor Clive Tanner be appointed to the Advisory Committee on Finance in place of Norman S. Chamberlist as pursuant to Section 12 of the Yukon Act" Are you prepared for the question? Are you agreed? Madam Clerk would you kindly poll the House.

Madam Clerk: The Honourable Member from Carmacks-Kluane?

Mrs. Watson: Agree.

Madam Clerk: The Honourable Member from Whitehorse West?

Mr. McKinnon: Disagree.

Madam Clerk: The Honourable Member from Dawson?

Mr. Stutter: Agree.

Madam Clerk: The Honourable Member from Whitehorse East?

Mr. Chamberlist: Disagree.

Madam Clerk: The Honourable Member from Whitehorse North?

Mr. Tanner: Agree.

Madam Clerk: Mr. Speaker, the vote is three Yeas two Nays.

Mr. Speaker: Thank you, Madam Clerk. I shall declare the amendment has carried. Do you have any further discussion on the main Motion?

MOTION CARRIED

Mr. Chamberlist: Just one word, Mr. Speaker, I wonder if the Honourable Members from Whitehorse North and the Honourable Member from Carmacks-Kluane would be sleeping very well over the next two or three weeks.

Mr. Speaker: Are you prepared for the question on the Motion as amended? Are you agreed? Madam Clerk would you poll the House in order that we can determine what that vote was?

Mrs. Watson: Mr. Speaker will you read the question please?

Mr. Speaker: I have asked for, called the question for the Motion as amended - No. 1. Are you agreed? Madam Clerk will you poll the House? Would you poll the House please?

Madam Clerk: The Honourable Member for Carmacks

Kluane?

Mrs. Watson: Agree.

Madam Clerk: The Honourable Member for Whitehorse West?

Mr. McKinnon: Disagree.

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: Agree.

Madam Clerk: Mr. Speaker, the vote is three Yeas two Nays.

Mr. Speaker: I shall declare that the Motion is carried as amended.

MOTION CARRIED

MOTION NO. 2

Mr. Speaker: Next Motion is Motion No. 2.

Mr. Stutter: Mr. Speaker, on a point of order, I believe now that Motions No. 2 and Motion No. 3 could not be carried on with. They are both subject matters that have now been dealt with.

Mr. Speaker: Yes, this is very true.

Mr. Chamberlist: They cannot be withdrawn, Mr. Speaker, unless permission is given to the whole House.

Mr. Speaker: No, it's not necessary to withdraw Motion No. 2. Order please. It's not necessary to withdraw Motion No. 2 or No. 3 because as a consequence of Motion No. 1, they are both now out of order. We will proceed now to Motion No. 4, reimbursement of legal fees to Mrs. Watson.

MOTION NO. 4

Mr. Speaker: Councillor Tanner.

Mr. Chamberlist: Point of order, Mr. Speaker. I have no copy of the Order Paper on the Motion.

Mr. Speaker: Yes, I'm just wondering if the Members are prepared to proceed with this Motion as presented this morning?

Mr. Chamberlist: With respect, Mr. Speaker, it has to be given to the Clerk of the Council before five o'clock on the day that the notice of Motion is given. That's the rules.

Mr. Speaker: As far as the Chair is concerned, the Motion, until it's been presented to the Chair, is not a Motion, it is only Notice and if the Member so wishes to deal with this Motion at this time, he would indicate it.

Mr. Chamberlist: It can only deal with, Mr. Speaker, with his notice because there is a requirement, Mr. Speaker, that a copy of the Notice be supplied to the Clerk of the House by five o'clock of that day.

Mr. Tanner: Mr. Speaker, speaking to the point of order, all Members know very well that I

attempted to have a Notice of Motion given last week and the Speaker's own ruling to all Members of this House that he would get together with me and we would draft a Motion which would be acceptable to Mr. Speaker. Mr. Speaker, we have got together this morning prior to the House because we were unable to do so at 5 o'clock. I have a Motion here and I would hope the House would agree to my proceeding with it.

Mr. Chamberlist: With respect, Mr. Speaker, we have departed from the rules sufficiently already during this session. But here is a specific area of where the rules must be complied with and the Honourable Member must be taught that he, as an Executive Committee Member, has a responsibility to comply with the rules of the House much more than any other Member. Certainly equal to any other Member and he hasn't done this. With respect, Mr. Speaker, I say you can only rule on the basis of what should be dealt with and that is Notice of Motion, and he hasn't supplied the Notice for that particular day.

Mr. Speaker: Order please, order. It is most depressing to the Chair that during the course of this session that Members for one reason or another attempt continually to preclude debate or discussion on issues and this I would feel is a very very dangerous precedent. In the case of the question, the point of order raised by some Honourable Members, it was at one time felt that these Notices, a copy of the Motion referred to in the Notice would be deposited with the Clerk of the House at 5 o'clock, if possible, in order that they could be included in the Votes and Proceedings the following day. Unfortunately, the support staff of this House is not equipped to fulfill this function because of the transcription services and because of the printing limitations, so it has been the usage of the House more particularly, for some reason, in the last three years that some Honourable Members would bring Motions to the House notwithstanding they have given Notice to the House, on a day prior and presented them by giving copies to all Members and having them considered. In this respect I would rule that the Member may propose it this time - a Motion as long as it is related to reimbursement of legal fees to Mrs. Watson as stated in Notice of Motion No. 4.

Mr. Chamberlist: On a point of privilege...

Mr. Speaker: Order please, would you proceed with your point.

Mr. Chamberlist: It appears to me, Mr. Speaker, with respect, that where a specific instance of a breach of rules has occurred, Mr. Speaker should lean towards the correction of those breach of rules. Now, as annotation 9 of page 10 reads as follows: Standing and Sessional Orders are rules and regulations. In other words, the Bible which was expressly agreed upon by the House for the government of its own proceedings. Standing Orders endure through successive sessions until repealed. Now, how can you even consider this, Mr. Speaker. The Standing Orders have not been repealed in relation to that; the Standing Order on Motions is quite clear. I haven't got my finger on it, Mr. Speaker, but it states quite clearly that there is a time requirement for a Notice of Motion to be placed at 5 o'clock and if this Council, I do not recall, during this Council, has ever heard how that particular point - Notices of Motion have always been brought forward. As a matter of fact, I recall one instance where the Honourable, Mr. Speaker sitting as the Honourable Member from Watson Lake raised a question, as to whether or not the Notice of Motion had been supplied and I simply say, Mr. Speaker, that apart from this

specific rule it is improper. Apart from the fact the Members haven't been supplied with a copy it cannot be said that the secretariat are that busy. These two people, these Executive Committee Members, have private secretaries to type up their Motions. With all respect, Mr. Speaker, I think I've raised a legitimate point that must be given reconsideration.

Mr. Speaker: I have given .. order please.. I have given, as I stated earlier, a great deal of consideration to this question and the Chair is, in part, guided by the mandatory processes that are required to follow that particular Standing Order. It is difficult with the support staff in transcription to have to wait until 5 o'clock at night to have to get that thing in Motion. Also, I am guided by the fact that every Member should be given as much latitude as is within good reason and the judgement of the House and the rules of the House to propose any question as long as it is within the bounds of permissibility by the Rules of the House in that respect. It has been the practice of the House within the last three years, in my experience on the floor, that - particularly in the last three years - for the government members for that matter, for bringing in Motions at the last hour. As long as notice is given that a matter will be coming down respecting something, then it is, in my view, quite acceptable. I would, as I stated before, rule at this point that the Member may raise his Motion in relation to Motion No. 4 - reimbursement of legal fees to Mrs. Watson as stated in the Order Paper and we will deal with the question as the question arises.

Mr. Speaker: I have not heard the motion and I believe the Member would be required to circulate copies of his motion. May we hear the motion?

Mr. Tanner: I will read the motion. It is moved by myself, seconded by Councillor Stutter, that it is the decision of this House that Councillor Norman S. Chamberlist do pay the legal costs incurred by Councillor Hilda Watson arising out of the recent allegation of misconduct made by Councillor Norman S. Chamberlist, which costs shall be certified by the Clerk of this Council.

Mr. Speaker: I would have to rule that motion out of order.

Mr. Chamberlist: Of course it is out of order.

Mr. Tanner: Would Mr. Speaker be good enough to advise as to why it is out of order?

Mr. Speaker: Madam Clerk, may I have a copy of the motion?

Madam Clerk hands copy of motion to Mr. Speaker.

Mr. Speaker: Now, the motion is out of order for two very good reasons. In the first instance it has a tendency to raise a question that has already been decided by the House, and to inject this back into debate again. I would rule that it is a very grave violation of privilege for the House to force a decision of this nature upon any Member of the Legislature. It is a breach of his privilege entirely. I would rule that the whole question is out of order. The Honourable Member from Dawson...

Mr. Stutter: Mr. Speaker, on a point of order, would you tell what part of this particular motion has already been dealt with in this House?

Mr. Speaker: The motion has a tendency - pardon - it is out of order with respect of forcing a decision on a Member of this House, and it is not to be accepted in any way by this House. The other reason is that it has a tendency to raise the question of the dispute arising between two Members of this House, which has been resolved in this House and by this House in the matter put to them the other day. So, consequently, for both reasons the motion is out of order. There is no question about this at all.

Mr. Chamberlist: Point of privilege. A remark was just made by the Honourable Member from Whitehorse North - just now -

Mr. Tanner: It is between you and I...

Mr. Chamberlist: And now he says "it is between you and I" that makes it even worse. I said "you can't do that" and he said "we'll do whatever we want to..."

Mr. Tanner: On a point of personal privilege, I did not say that and the Honourable Member shouldn't make remarks like that - that it was between "you and I".

Mr. Chamberlist: Yes-----egg has stained your face.

Mr. Tanner: Mr. Speaker, on a point of personal privilege, I haven't lost my temper, and if the other Honourable Member wants to lose his, that is fine.

Mr. Chamberlist: Oh no, never!

Mr. Tanner: I am still not happy with the Speaker's ruling, because, Mr. Speaker, I don't see that the subject I am asking about has been discussed before. The subject matter of this motion is that legal costs incurred by Councillor Hilda Watson should be paid. She should be reimbursed for her legal costs. That has not been discussed at all in this House.

Mr. Speaker: As I have stated for two reasons, one has been stated and the second reason is that the motion is absolutely out of order. If the Honourable Member from Carmacks-Kluane in this case is agreed and wishes to recover legal costs incurred through the Honourable Member from Whitehorse East, the proper place for this would be in the courts.

Mr. Chamberlist: Right! There we go.

Mr. Speaker: Madam Clerk, would you see if Mr. Commissioner is available for question period? In the meantime, I will declare a brief recess.

RECESS

Mr. Speaker: I will call the House back to order.

Mr. Commissioner: I have an answer to one of the questions that was raised on Friday, but I see that the Member who asked the question is not in his seat. Maybe you would like me to wait until he is here, and then I can give the answer to it.

Mr. Speaker: Alright, possibly later in the question period. Are there any questions?

QUESTION RE: CANCELLATION OF COUNCILLOR
RIVETT'S APPOINTMENT

Mr. Chamberlist: Mr. Speaker, my question to the Commissioner - the other day when I raised questions to the Commissioner about the meetings of the YTA and the School Advisory Board, he gave some nebulous answers, and I would like to ask a specific question now. Under what authority did you issue an order on the 19th of December, 1973, cancelling Councillor Rivett's appointment to the Advisory Committee on Education? I have a copy of the order here which I will give to you, Mr. Commissioner. Especially in view of the answers you gave then, would you please now answer why you issued another order contrary to Section 98 of the School Ordinance.

Mr. Commissioner: Excuse me, Mr. Speaker, I am not up on the details. Perhaps Mrs. Watson...

Mr. Chamberlist: No. With respect, Mr. Speaker. I have asked a question of Mr. Commissioner, whose signature is attached to that order, and who is the responsible officer, being the Chief Executive Officer and the person in charge of the Administration. I have asked a simple question. I will put it this way, Mr. Commissioner. Is that your signature, and is the date of that order correct?

Mr. Commissioner: I have a piece of paper in front of me, and it is certainly my signature. But as far as the details and the background are concerned and the consequences of this thing and various things of this nature, I would have to research this thing myself.

Mr. Speaker: The Honourable Member from Carmacks-Kluane.

Mrs. Watson: Mr. Speaker, I could answer that question. When the Clerk of the Council's office was researching through Commissioner's Orders, they found a duplication of the appointment of Mr. Rivett. Therefore one of the appointments was revoked and the other one still stands.

Mr. Chamberlist: Mr. Speaker, with respect, the last date of any order is the one that is in effect. Mr. Commissioner, I still want you to answer, why you cancelled Councillor Rivett's appointment, on the 19th of December, 1973, without first bringing before Council the appointment. Because this appointment - this order - reads as follows: "The following appointment as Member of Council to Advisory Committee under Commissioner's Order 1970/333 is hereby revoked." That was the only appointment that was made. And any subsequent appointment that was made, in any event, if it came in between, is still no good because this is the last date cancelling that order. - I simply want an explanation, as to why you would once again, (Mr. Speaker, my question is quite clear) especially in view of the problems already with the Advisory Committee on Finance and issuing orders which are not proper, that you can go ahead and rule like an administrative tyrant. I want to know the answer to that.

Mr. Speaker: I believe, would the Commissioner care to take notice on the question. Would this be satisfactory? So note, Madam Clerk.

Mr. Chamberlist: Thank you.

Mr. Speaker: Are there any further questions?

QUESTION RE: EXPANSION OF THE HAINES
JUNCTION LID

Mr. Chamberlist: Yes, Mr. Speaker. The other day, question was raised, and it appeared that it had been reported that there is no power under the Local Improvement District Ordinance to enlarge and expand an area of an LID. Mr. Speaker, as a result of my examination of this particular Ordinance, I concur with the Legal Advisor that gave this advise to the Haines Junction LID last week. Question to the Commissioner: "Is it your intention to expand the LID under any circumstances unless first amendments are made to the LID Ordinance to make provision that this can take place."

Mr. Commissioner: Well, Mr. Speaker, I have no intentions at the present time because the recommendations of the person who was appointed to hold the public hearings have not arrived at my desk and until they do, and I see what the ramifications of them are, then the question as to whether or not we have the authority or power to do these things will definitely have to be examined. Until such times as I see what was recommended, I have no intentions as such at this time.

Mr. Chamberlist: Supplementary to that, Mr. Speaker. Do I understand then, Mr. Commissioner, that you are not aware that there can be no expansion prior to an amendment to the Ordinance?

Mr. Commissioner: Mr. Speaker, I will put it this way. The question has never been posed. When the question is "Am I aware", then I can honestly answer that the question has never been posed.

Mr. Speaker: Are there any further questions?

Mr. Chamberlist: I would like to hope that the other Members will ask questions, but if they haven't any questions, I have got quite a number.

QUESTION RE: AMOUNT OF MANAGEMENT CONSULTANT
CONTRACT FOR INVESTIGATIONS.

Mr. Chamberlist: It had been reported, Mr. Commissioner, that the contract that was let to the management consultant firm was left with an undisclosed amount. As all contract amounts, are published, would Mr. Commissioner state now what was the amount of the contract with the firm which is investigating the Department of Social Welfare and from what vote is it intended that that money would be paid out from.

Mr. Commissioner: Mr. Speaker, I don't have the amount available. I will gladly take notice of the question.

Mr. Speaker: Any further questions?

QUESTION RE: GOVERNMENT ACTIVITY IN THE NORTH

Mr. McKinnon: Mr. Speaker, I have just been examining a booklet that I received from the Commissioner a few months ago that points out the 1972 Government activities in the north. And as you read it, you get madder and madder.

There are one hundred and one Federal Departments that are set up to deal with the North and they and their staffs are based in Ottawa. The monies that are given - I was looking through the Department of National Defence section that deals with the North - and of course they say that this is the amount of money that is given to Northern Canada, and this is the reason, of course, that we can't have responsible government ... because they have spent all this money. Money for such things as the following parasites: The black flies, \$2500; juvenile hormone for mosquito control, \$6,000; a study of the gorgin response and the blood-feeding insects, \$7,000; the synthesis of insect hormones; the structure of mosquito sensory receptors; dynamics and anthropology of the biting midge; and this goes on and on and on in the departments. Is there any way the Commissioner can notify his Minister that they quit wasting all the money that they waste in having these people at Government expense supposedly dealing with the North and perhaps put some money into mosquito spray project, that we would be an awful lot better off. A hundred and one different Government departments dealing with northern Canada, I daresay we don't need twenty-five of them for what they are actually doing. How do you classify as your Minister, stop wasting this money in the north and get on with the real problems in northern Canada.

Mr. Commissioner: Mr. Speaker, I don't disagree with what the Honourable Member says in the slightest. The only gratifying thing that I will say that at least we are getting it published in a, I was going to say a comprehensive, but it isn't comprehensive, but at least an all-encompassing synopsis that at least anyone who is interested from the public can see in front of them that in fact this is what is going on. I am quite satisfied in my own mind that many of these things are literally excuses to justify the presence of people in the north who if they weren't able to justify them under these kind of programmes, simply wouldn't be here. Or not necessarily wouldn't be here, but wouldn't be able to justify their presence here in such a manner. Certainly, any recommendations that come from the Council towards the curtailing of this kind of activity in the north, why it will certainly be forwarded with my own personal comments to the Minister at any time they come from this body, Mr. Speaker. Insofar as the comment as the Honourable Member has made, let me say to you the fact that we are getting it down in a manner that the public at least know what is going on. It is a tremendous step in the right direction.

QUESTION RE: MR. MILLER'S APPOINTMENT TO THE EXECUTIVE COMMITTEE

Mr. Chamberlist: Mr. Speaker, I have a series of questions which I would be satisfied if Mr. Commissioner will provide a written answer to. Mr. Commissioner, these questions deal with the appointment of Mr. Merv Miller to the Executive Committee. The questions are as follows:

1. Was an internal competition held for the job?
2. Was senior civil servants given consideration?
3. Did Mr. Miller apply in the competition?
4. On what grounds were the legitimate applicants rejected?
5. When and how was the competition terminated?
6. If Mr. Miller did not apply and the competition was terminated, how did he receive the appointment?

7. Was Mr. Miller given the job on a contractual relationship with Y.T.G.?

8. In any event, how could he be appointed when Mr. Fleming was still in that position but on sick leave?

They are for written answers.

Mr. Speaker: So note, Madam Clerk.

QUESTION RE: FUNCTION OF THE ADMINISTRATOR

Mr. Chamberlist: A further question, Mr. Commissioner. Mr. Speaker, this is to Mr. Commissioner. The other day, I raised a question re: Section 5 of the Yukon Act, and the functions of the Administrator. Mr. Commissioner, you indicated that you find time, you would take some time, to answer under what authority. My question to, at this time is, after eight years as Commissioner, do you still say that you do not know immediately under what authority that he acts?

Mr. Commissioner: I have no comment to give. The question was asked I believe on Friday. I hesitate to give an answer, Mr. Speaker.

Mr. Chamberlist: This was a different question, with respect, Mr. Speaker. I am asking him if he is prepared to say that after eight years as Commissioner he doesn't know in what authority the Administrator acts in a capacity than what the capacity is required of him under Section 5 of the Yukon Act.

Mr. Speaker: I don't think, I would rule that the Commissioner is not required to answer that particular question.

Mr. Chamberlist: The Commissioner, Mr. Speaker with respect, is not required to answer any question. He can dodge around with any question which he is very successful in doing. Mr. Speaker, while I am on my feet, I will give Councillor Tanner the opportunity of answering the question here.

QUESTION RE: NUMBER OF SOCIAL WELFARE AGENCIES

Mr. Chamberlist: It was recorded that Councillor Tanner had indicated the reason for the management business consultants being called into the Welfare Department and to quote the words that he used as was reported, that he knows " . . . of twelve different agencies visiting one family." I would ask Councillor Tanner to name these twelve different agencies.

Mr. Tanner: Mr. Speaker, may I take that question under advisement?

Mr. Chamberlist: With respect, Mr. Speaker, he has already indicated that he knows of twelve different agencies. Now he wants to take it under advisement. Can the man tell the truth or not?

Mr. Speaker: Order, please. So note, Madam Clerk.

QUESTION RE: LETTER FROM DRAMA CLUB DIRECTOR

Mr. Chamberlist: My last point, Mr. Speaker, is an opportunity for Councillor Watson. I was given a letter this morning, Mr. Speaker, and it a question therefore that I would like to put to Mrs. Watson. A member of the F.H. Collins School wrote this letter. I understand that Councillor Watson, you have a copy and so have other Members of Council who are in the Whitehorse area and the Commissioner has a copy, and Mr. Ferbey, and the Superintendent of Education and the Y.T.A. and the principal. It would appear that you gave specific instruc-

tions in the midst of a rehearsal of a play that is being prepared under the auspices of the director of the drama club to stop rehearsing within a specific time. I don't want to read the contents of the letter unless you want me to do that. What comments have you made with reference to the accusation that has been made in this letter and with reference to the breach of faith that you are accused of in this letter as well?

Mrs. Watson: Mr. Speaker, I am quite familiar with the situation that the Honourable is referring to and I like the way he used the word, "It would appear that you gave instruction..." I am rather surprised at this letter, and I had a sneaking suspicion that this letter had been written upon some advice. I am rather surprised that a professional person of this person's calibre, would stoop to write this kind of letter on the advice he probably received. However, I would like to very emphatically state that when I have a phone call from a member of the public during the weekend regarding the use of one of our schools, I do not interfere. I refer them to call the Chief Administrative Office of the Department of Education, who is Mr. Holden. In this instance, the people were not able to contact Mr. Holden. They were given instructions to phone Mr. Ferbey. This is the extent of my involvement in this matter. I take great exception that this is brought to the floor of the Council, when it really is a matter between Supervisor of Personnel and the people and the staff of the school. I am sure that if there had been some even talking of the matter, that it wouldn't have evolved into this kind of an episode that it has today.

Mr. Chamberlist: A supplementary question, Mr. Speaker. The innuendoes that the person got some advice. I might indicate that I was telephoned just a few minutes before these were given to me because the man couldn't get away from his school and asked if I would deliver them and I delivered them to the Members. That is all I know about it. The supplementary question that I am concerned with is whether or not the situation is such that the person who has writtern is going to be, in any way, penalized by yourself or by any of your senior officials as a result of complaining of what he considered to be unfair treatment.

Mr. Speaker: I don't know if I would permit from the Chair that particular question. That is asking the Member to make a judgement on something she, I would not think as yet, given consideration to. That question would not be allowed.

Mr. Chamberlist: Let me put it in a different way which would encourage Mr. Speaker to allow it. The record indicates that a prompt apology be extended to the cast and the crew as a result of what took place. Is Councillor Watson going to consider that prompt apology?

Mrs. Watson: I certainly am not going to consider a prompt apology. I wasn't involved in the thing.

Mr. Speaker: Are there any further questions?

Mr. Commissioner: Mr. Speaker, I wonder if I might rise to answer a question that was asked by the Honourable Member for Dawson. The question was, "I would like the Commissioner what provision had been made for the stabilization

of the river bank in Old Crow, the Porcupine River bank?" The answer to this question is, engineering studies have been carried out to reveal the alternate methods of providing stabilization. A field survey was carried out last summer to determine the availability of materials and the cost of moving these materials to the river bank. We have now determined that the best and most economical method is to use river bar material which is available a short distance from the loading bank. It is our intention to seek Council approval for funds to undertake this project following the spring of 1974 runoff. If approval is obtained, existing equipment in Old Crow will be utilized for this project. I will be passing this to the Clerk and it will be tabled as a Legislative Return at a future time.

Mr. Speaker: Are there any further questions? I wonder, inas much as this would appear to be the last question period of the Session, I am wondering if Mr. Commissioner would be agreeable to having all the answers to the questions asked at this Session forwarded as soon as they become available by mail to all Members.

Mr. Commissioner: Yes, I think this is a reasonable situation, Mr. Speaker.

Mr. Speaker: I would like to thank Mr. Commissioner for his attendance in the House this morning. Next two items on the Order Paper are Private Bills and Orders which there are none and of course, Public Bills and Orders. I believe at this time there is nothing in Committee or any of your Committees and we would be prepared to proceed with the concurrence of the House with prorogation proceedings and closing speeches at 2:00 p.m. Would this be agreeable?

Some Honourable Members: Agreed.

Mr. Speaker: The House now stands in recess until 2:00 p.m.

RECESS

Mr. Speaker: I now call this Council to order. All business is finalized and I will call upon all Members to reply to the Commissioner's Opening Address.

I will first call upon the Honourable Member from Whitehorse East.

Mr. Chamberlist: Mr. Speaker, this indeed was a very extraordinary Session. It was extraordinary primarily because it showed the clear attempt and successful attempt by the Commissioner and those people that he has now to advise him to use these Chambers for the specific benefit of destroying or attempting to destroy, actually, what is the only area of control that we have in the Yukon. To have the administration called to task for its involvements in such a manner where legislation passed by the Parliament of Canada and indeed passed and included in Ordinance of the Territory have been abused.

I am referring to the specific area and the specific organization that is the Superior Court of the Yukon Territory. There is no doubt in my mind, Mr. Speaker, that a deliberate planned position was taken by the Commissioner to use every administrative function of his to circumvent what was rulings by a Judge of the Supreme Court of the Yukon. It's a sad situation indeed, Mr. Speaker, when this occurs, for the simple reason that in our function of government in the Yukon only when people feel they have been aggrieved can go forward through Court and ask for that grievance to be corrected.

It was somewhat fortunate, Mr. Speaker, that I was capable of doing the necessary work to bring the matter before the Court because it's been the practice of the Commissioner for quite some considerable time, to make decisions and then declare - If you don't like it, go to Court. But this has been used hundreds of times for administrative convenience to penalize the very ordinary member of the public who cannot afford to go to Court and knows full well that if he should have to take his grievance to a Court, the cost to him becomes horrendous. Therefore, he feels its best in the interest of not involving his family in legal costs and drops the matter.

Now I would like to say this, Mr. Speaker, that I brought forward in this Session certain allegations and certainly I can have no argument put forward to say that the methods of Council have not all given consideration to the allegations that I have made and the allegations that I maintain for some. But I am somewhat surprised with the witness of methods of Council coming to a decision without sifting the evidence. Without giving consideration to the documents that I submit were past due to all Members of Executive Committee at the time and specifically a document that was marked "Interoffice Memo, June, 1971" when the whole concept of the National Park and the National Core was given just to Members of the Executive Committee. And because I have no intention of reading and going over this subject I thought today I'd hold up and show the thick pages, each one is marked with a government "Confidential" stamp. So that it would be quite improper and is quite improper for the Member from Carmacks-Kluane to indicate she knew nothing at all about it. But be that as it may.

What further surprised me was that no denial was forthcoming from the Commissioner about the distribution of the documents. If he wanted to make sure that Council were well

aware as to what had taken place, he would have come forward himself and said in fact that what I had stated was quite true; that he had and with his signature on the attached memo, circulated the documents to all Executive Committee Members. Again I say, that's been done.

I would like to go away from that point now and refer to a statement that was made by the Member of Parliament for the Yukon. In an interview with one of the local media, he made certain suggestions that I should resign my seat and it was necessary for me to do so. I cannot but help recognize the fact that Mr. Nielson is a very very shrewd politician and utilized the situation to once more attack me as he has so often done in the past. But also to include, not an attack upon me, but an attempt to deprive all people that have any Liberal Party tendencies from involvement, from involvement, and therefore make his picture look real great. Mr. Nielson, in what he indicated, certainly didn't take into consideration the fact that the one time he had made accusations in the House of Commons and did not have the guts to present the accusations that he had made in front of the Committee when he was asked to do so. At least I brought forward my allegation in attempt to prove it. I would ask to read a report in the Calgary Herald of May 25, 1972 which is headed "Eric Nielson's Case Fails", reads as follows: "Eric Nielson's failure to back up his wire tapping charges is an insult to Parliament and sorely tests the man's credibility. The Conservative Member for Parliament from the Yukon disturbed many people a few weeks ago, when he charged that his office telephone on Parliament Hill was being tapped and his mail opened. The charge was a shocking one in every sense of the word. Despite government denials from the Prime Minister on down, an investigation was clearly necessary. Appropriately, the Commons Committee on Privileges was picked for the job. Yet, despite repeated invitations to appear and say his piece, Mr. Nielson has declined. Mr. Nielson spurned the offer of the Prime Minister to protect the job security of the highly placed source, who was said to have told the Yukon MP that wire tapping was taking place and Mr. Nielson said he believed the Committee were out to get him. Hogwash - a man with so little trust in those who sit in the assembly of which he too is a Member might well feel people were tapping his phones as well. Until he comes forward with evidence, it must be presumed that Mr. Nielson doesn't know what he is talking about and unless he chooses to elucidate in the meantime any future allegations from the Yukon will have to be taken with a grain of salt." I read that into the record, Mr. Speaker, for the simple reason that it's my contention that Mr. Nielson's continual interference for the affairs of Territorial Council is one that should not be condoned by any Member of Territorial Council whether we disagree or agree on any subject.

Mr. Speaker, during the debate on this particular subject, there were suggestions made by Councillor Watson that I had attacked her family. This was not so. I simply put down allegations as I saw them. Notwithstanding that she had attacked my character and suggested that she was afraid of being physically violated by me. What makes her think that she is so desirable that I would physically violate her, I don't know. But then, it was a little bit more of her scorpion's venom. Commissioner Smith's and Frank Finland's activities in most of the situations that have been created should be certainly brought forward in this closing address of this Council.

I have often stood up and defended Commissioner Smith. I have certainly stood up and defended Mr. Fingland when he was accused with Mr. Miller, the Honourary Executive Committee Member appointed, of both attempting to bribe city people, and you will recall that. I stood up because I said, I couldn't believe that of them. As a result of attempts by Mr. Fingland and Mr. Miller to dispense with top notch senior civil servants and when Councillor Watson, I will say this to her credit, stood beside me and made sure that this would not take place. When I questioned them then as to their credibility and examined the matter further and spoke to Members of the Council who were involved, I challenged them to deny publically the accusations that were made in this regard. They haven't done so and they have refused to do so; they haven't done so to this date. It can only be assumed then, that the charges that were made against them were validated charges. Mr. Speaker, not until Mr. Fingland and Mr. Miller came into the Executive Committee has there been so much destruction caused to the public service of the Yukon Territory, to the morale of the public service of the Yukon Territory and indeed to all areas of Government Administration in the Yukon Territory.

I know that, not once but a hundred times, I indicated to Councillor Watson that she should be very careful that Commissioner Smith does not attempt to split the elected people on the Executive Committee who are from Council. I insisted on this and she, for a long time, resisted that splitting. Then, as it had been pointed out to me by the Honourable Member for Mayo, that he was in a particular predicament when Councillor Watson indicated to him that Commissioner Smith had told her that unless I would be terminated from the Executive Committee, Fingland and he would, may be forced to resign. I can only say what has been advised to me.

I went to Commissioner Smith and I confronted him with this information - he refused to deny it. I bring this point up because I simply want it to be known that much of the friction that has been caused over the last six months, and I say this, that there hasn't been a Territorial Council Session before and perhaps some of the air could have been cleared in this particular direction if a fall Session of Council would have been held. Incidentally from the records I have examined shows that it's the first time that there has not been a fall Session of Council and legislation of any description brought down since the year 1945.

So one can assume that there was much reason for extending the situation completely. It might also be of interest to know that although Mr. Fingland, who is responsible for the bringing down of legislation as the Executive who is in charge of the Legislative Programming Committee, has failed miserably to do just what was his duty to do. He was more concerned with the destruction of people that oppose him in the various areas that he, as the hatchet man of the Department of Indian Affairs and Northern Development, has been appointed to be the Administrator in the Yukon.

It is somewhat interesting, Mr. Speaker, that I had over considerable time, broken many of the rings in which the people of the Yukon had been held by that Department. That objections were made to me signing correspondence to Ministers and I an elected person absolutely object and so should the Members on the Executive Committee now. But if they want to write the Ministers, to go ahead and write to them and not be deflected by anybody in the Northern Affairs Department that correspondence that comes from them while they

are members of the Territorial Administration should be signed by Commissioner Smith. That's a matter of an Administrator telling an elected person how he can conduct himself.

When I was protecting in many areas the Commissioner, it was because Councillor Watson and myself as elected people trying to participate in an Executive Committee which is as I said before, marred as an Executive Committee, was nothing but an Advisory Committee to the Commissioner. We are faced with the position of every time something went right, the Commissioner by public address, and through the media said "I was successful in doing this." "I was successful in doing that." When it came to a problem, the Executive Committee was blamed. All the media, without exception, and one can look back over the past three and a half years, will not find where the Commissioner or the Administration were any way coming under any criticism. But only the elected people come under any criticism. I read written by one scribe, that I was afraid of losing meaningful power in a Government and the Government is the Commissioner and nobody can doubt that. I had a cushy job at \$21,000 and I was afraid of losing that and upset about that. Let me say here now, that the difference that I was getting between an ordinary Member after taxation and what I was getting now is just a difference of \$3700 more as a Whitehorse Councillor and only \$2700 more as a Councillor from the outside areas as a result after taxation. They thought it was cushy that I would be in a position of having to fight in Council here a very effective opposition like Councillor McKinnon and with respect to yourself, and also at the same time, I had to walk the tight-rope between what the majority was in the Council and try to satisfy any Member who wanted something specific done. Then he had to be convinced by all the attacks that were coming from the Members of Parliament and then from a radio station with a talk-back show that was attacking me most viciously from beginning to end for almost three years. If that was a cushy job, I suggest that the scribe who wrote those remarks run for public office and get elected. They will find whether or not being a Member of the Executive Committee is a cushy job.

Mr. Speaker, I am going to try to finish up. I notice Mr. Speaker is looking at his watch. When Mr. Minister comes here on Monday, I am going to ask in the presence of Members of Council when we will be meeting that Commissioner James Smith be removed from his office and likewise Frank Fingland, and temporary appointments be made until such time as the Yukon Act with its amendments comes into force. And ask that an amendment to the Yukon Act be that either a Commissioner be elected or that one of the Members of Council be elected by the majority to fulfill the function of Commissioner. So that we are never faced again with the dancing around of the Administrative Officer. No Member of Council, even those who are on the Executive Committee, can refute that the manner in which he has been answering questions in the last few days has been one of broad disregard for his responsibilities as a chief Executive Officer and Administrator of the Yukon Territory. It became very obvious that when a man after eight years as Commissioner is not able to answer as to what authority the Administrator conducts his affairs over public servants of the Yukon Territory, it shows either that he has no knowledge of what the situation is, or secondly, that he doesn't care to answer specific questions because he feels that he is the autocrat with the Machiavellian principles that has been so predominant in his particular ideas of Government administration. And when

I think of the situation regarding senior civil servants that he has rejected, who have been seeking promotion. And when I think that when he applied for a job at one time in a position as Executive Assistant, he was overlooked and someone else took his place. Now when I recall that when he applied for a job as a City Manager, he was overlooked and somebody took his place. Then I know for sure that what he is doing is using the words of the Members here, creating a vendetta. He certainly hasn't forgotten the time that I unseated him from City Council and certainly that time and time again, these enmities that have been coming, have been growing. He is just letting himself lose on me at this time.

In closing, Mr. Speaker, I would like to make these last few comments. I recognize that in the manoeuvrability of people of a Council such as this of just seven Members, all look for new areas of adjustment. I really find nothing to be upset about in that particular area except that there are certain ways of doing things with honesty. As I said, I have complained because of what I consider the treacherous and dishonest manner in which I was removed. I will not forget that ever. It has been my misfortune over the years, and this is the last point, it has been my misfortune over the years, and I am reminiscing again somewhat on my political life in the Yukon. When I first came here early in '51 and then in '52, at the first municipal election, when I saw in the parish hall, six card tables set up and people sitting down at the card tables fanning out their buttocks, I was so upset to see things like that. And that was the first time I upset an election on the principle that the democracy wasn't being properly taken care of. All along though I have taken steps to see that the democratic principles, as little as we had in the manner that we could get them together, were carried out. I feel that the penalties and the abuse that I suffered as a result of many of the actions that I have taken are those that I think do a discredit to many. Publication that attack me for those things in particular. I would say this, that I am quite proud for the part that I have played in the development of the Yukon Territorial Council. I am quite proud as well to know that although there are many people who when the time for me to hang up my gloves, so to speak, will come about, may give some applause. But I feel sure also, that there will be many people who will remember me long after I am gone for the work that I have done. And with that thought in mind, at least I can say in bowing out from the Administrative side of Government, completely now, and being placed in the effective position of a Member in opposition, and I can assure Members that I will be effective in opposition, I can say this: That I am content that my role that I will be playing will be one of continually looking after the future of the people of the Territory and protecting their interests wherever I can. Thank you, Mr. Speaker.

Mr. Speaker: The Honourable Member for Whitehorse North.

Mr. Tanner: Mr. Speaker, I don't wish to speak. It's all been said.

Mr. Speaker: The Honourable Member for Carmacks-Kluane.

Mrs. Watson: Mr. Speaker, I haven't quite completed it.

Mr. Speaker: The Honourable Member for Whitehorse West.

Mr. McKinnon: Now that the Government of the Yukon has finally muddled its way back to the proper order of relationships between the Executive Committee and the Financial Advisory Committee the reason for the calling of this special Session has been resolved.

When we next sit, it will be for the Budget Session.

As the only Member of this House that is facing the problem of most Yukoners - of raising up a young family on a fixed income, I would like to get one message, and one message only, across to those of you who are in control of the Government.

We cannot take an increase in taxation in any way at this time. We have been gouged and taken by every Government, every agency and every programme to the point where we feel nothing but absolute frustration and futility.

Indeed, Mr. Speaker, the middle income worker feels and rightly so that the payment for all services for all levels of society is directly levelled at the amount of money that Governments can derive from his hard earned pay-cheque.

Mr. Speaker, I only want to warn this House, that I will fight, I'll filibuster, I will use every method available to me to fight for my constituents in this regard. The backbone of the Yukon economy - the middle income workers who make up the vast majority of Yukon residents have quite simply had it.

They cannot and should not be expected to contribute more.

Thank you, Mr. Speaker, Members of Council.

Mr. Speaker: The Honourable Member for Carmacks-Kluane.

Mrs. Watson: Mr. Speaker, I am going to decline.

Mr. Speaker: The Honourable Member for Dawson.

Mr. Stutter: Mr. Speaker, Fellow Councillors. I had not intended to reply to the Commissioner's Address. However, after hearing Councillor Chamberlist being interviewed, suggesting that the present Members of the Financial Advisory Committee are not competent to be on that Committee, I take that personally.

In February, 1973, after having served a full year on that Committee with Councillor Chamberlist and Councillor Watson, I offered my resignation, stating that I felt other Members should serve on the Committee. My offered resignation was unanimously rejected as it was felt at that time, I was doing a good job. No mention then of incompetence.

Mr. Chamberlist: It is unusual, but I must rise on the point of privilege.

Mr. Speaker: Order. Order, please.

Mr. Chamberlist: It is a point of privilege. I must apologize now if it has been inferred by the Honourable Member that I was making reference to him. I think he acted in quite a capable manner on the Advisory Committee. My reference was specifically to Councillor Tanner and to no other person. If he has anything in mind that pointed to him or Councillor Watson, in that particular area, I want it clearly understood that this was not the matter.

Mr. Speaker: Do proceed.

Mr. Stutter: I can say that I have in the past and will continue in the future to attempt to get the best possible services with the least possible expense to the taxpayers of the Territory. I do not consider the expenses as a result of this prolonged Session to be in the taxpayer's interest. I do not consider that expenses of the recent Court hearings to be in the taxpayer's interests. I do not consider the expenses to be incurred by repetition of the Financial Advisory Committee meetings to be in the interest of the taxpayer. I have made my own way in life for the past fifteen years by being in business. I have made that way honestly and without the padding of bills and overcharging for services rendered.

A Motion proposed today but ruled out of order, would have seen this House order Mr. Chamberlist to pay the lawyer fees incurred by Mrs. Watson as a result of allegations made but not substantiated. The taxpayers should not pay these fees. Mrs. Watson should not have to pay them. However, the unsubstantial allegations have been made by Councillor Chamberlist without any censure from this House. The objective of this Session has however, been accomplished and the make-up of the Financial Advisory Committee has now been settled so that the meetings can be held and the budget be finalized for presentation in March. I can assure all Members that I, for one, will be doing my duty on that Committee to the best of my ability, even though that ability is now considered incompetent.

Mr. Chamberlist: I rise on a question of privilege, Mr. Speaker. There was an imputation made of a criminal nature, just now. The imputation was that I have padded my expense bills. Now, I would ask ...

Mr. Stutter: On a point of privilege, Mr. Speaker. I have it writtarn here, and if the Honourable Member wants to look through it, he will find nothing about padded expenses.

Mr. Chamberlist: I trust that this will be recorded because this is what he said. Unless the Member wants to repeat those words outside this House, he better not say them again here.

Mr. Stutter: Again, Mr. Speaker, again on a point of privilege. I didn't repeat them outside the House. How could I ever repeat them outside of the House? My words were, "I have made that way honestly and without the padding of bills and overcharging for services rendered."

Mr. Chamberlist: You were implying, weren't you?

Mr. Speaker: I think perhaps that the Honourable Member would agree that no such intimation or allegation was made against any Member of the House. Would the Deputy Speaker, at this time, take the Chair, please.

Mr. Taylor: Mr. Speaker, Honourable Members. I would like to direct my remarks at prorogation to the important question of legislative responsibility as it effects this House.

I would begin by saying, Mr. Speaker, that I came to the Yukon some years ago, and at that time was very overcome with the desire to participate in what I felt at that time was the great last frontier. I stayed; I participated and I learned.

I learned by association with people of their hopes and aspirations for a Yukon future. I learned that the pre-requisite of achievement

meant hard work and very often, difficult times. I learned that when people got together with unity or purpose, they won their resolve and when they became divided in disunity, they faltered and very often failed in their endeavours. I learned about Government and how it functioned and deeply yearned for the opportunity of some day joining ranks with those who would advance the rights and opportunities of the people who each in their own way carved a future and a lifetime out of what was once a vast Yukon wilderness.

Following election to the Legislature, I learned what a heavy responsibility falls upon those who enter into the political arena. I learned also about the unbelievable frustrations that come with policy-making and in the thrust and parry of debate. I learned that successful conclusions almost always resulted from hard work and honest perseverance. And most of all, I learned how important was this Legislature to the people it serves because it represents, in fact, a guarantee, the only guarantee of the rights and freedoms of Yukon citizens. It is the greatest single power in the Territory and it belongs to the people alone, Mr. Speaker.

Beauchesne explains it this way: "It is a cardinal axiom of the modern British Constitution that the House of Commons is the greatest of powers of the State. The Commons are armed with ample power of self-defence. If they use their power properly, they can only be mastered by a recurrence to the people and the way the appeal takes effect is by the choice of another House of Commons more agreeable to the national temper. It seems an excessive assumption to maintain that the House of Commons or Parliament does actually and practically in every way directly govern the kingdom. The House is still powerful; it is still influential in all parts of Government. It is still a bulwark of public liberty and is still a worthy and splendid assembly of a great people."

It does much and can do more. Even now it's attributes are mighty. It does not cease to be interesting and at times, the world gazes enthralled upon the battles which rage within its walls. The show of power is with it, nor has it abated in its pretensions or diminished by one jot, the assumption of its nominal authority. But it is undergoing the evolution which comes in turn upon most political organisms. Much of its efficiency has passed to other agents. Its supremacy is qualified by the growth of rival jurisdictions. Its own servants have become, for some purposes, its masters. The principles that lie at the basis of English Parliamentary Law as Boreneau so aptly says are to protect the minority and restrain the improminence of tyranny or a majority to secure the transaction of public business in an orderly manner, to enable every Member to express his opinion within limits necessary to preserve the quorum and prevent an unnecessary waste of time, to give abundant opportunity for the consideration of every measure and to prevent any legislative action of being taken upon sudden impulse. Every Member, as soon as he is chosen becomes a representative of the whole body of the Commons without any distinction of the place from whence he has departed. Parliament is not a Congress of Ambassadors from different and hostile interests. Parliament is a deliberate assembly of one nation with one interest that on the whole were not local purposes, not local prejudices ought to guide, but the general good resulting from the general reason of the whole."

It can be seen then, Mr. Speaker, that the democratic rights and freedoms of the people can be advanced only by the preservation of dignity and respect in this House and all that it represents. If it is to survive at all, as a bulwark of public liberty, it must withstand from without, erosion of its powers by the Executive arm of Government and it must pursue within itself a fierce dedication of purpose to this end. It is to a large extent for this reason that the electorate of the Yukon Territory send Members to debate policies of the day within these walls.

Today, we find a most distressing situation. We find a Legislature which at times, appears to resist the will of the people and more disturbing, appears to have degenerated almost completely, into a forum for personality conflict rather than honest and purposeful debate. This Council has broken down to the point that it is rapidly losing all credibility as a Legislature. The electorate has become secondary to personal confrontation and they cry out for reform and redress. The Government of the Yukon, Administrative and Legislative, is in very serious trouble, and to my mind, is rapidly developing into some odd form of socialist state. It is rampant with bureaucratic bungling to a point almost beyond belief. On the eve of a spring budget Session and as a result of either gross mismanagement or again, personality conflict or whatever the cause, the annual budget, said to be in excess of \$50 million dollars is declared null and void by the Courts. The Administration has clothed its operations in secrecy to the extent that one can only contemplate its actions with awe. Through its obvious mistrust of the electorate Administrations, Federal and Territorial, have evolved into one massive law enforcement agency. Respect for the law is now replaced to a great extent by fear and with the absence of an Attorney-General to appeal to for aid, the citizen, ever fearing re- crimination for his efforts or redress goes about his day-to-day affairs silent and oppressed and all this on the eve of Parliament's consideration of constitutional change for the Yukon.

Never in our history as a Territory have the people of the Yukon been faced with such a dilemma. Never in our history did the people of the Yukon so desperately need strength and determination in its Legislature. Reform begins here at home. Let us then begin, as Members unified in purpose to restore this House to a place of dignity and honour once again. Let us direct our energies and abilities in the days that remain to honest and vigorous debate of the policies and business of the Territory. Let us no longer be overrun by Administrations who would seek to destroy us. The so familiar divide and conquer concept no longer has a place in this Chamber. I, personally, will fight with all my heart and soul for what I feel is right and just for the people we serve while I am on the floor of this House. I will serve your needs with the best of my abilities and impartially while fulfilling the duties as Speaker or Deputy Speaker of this House, whichever the case may be. I trust that I may enjoy the same courtesy and consideration in return.

It only remains to say then, Mr. Speaker, that I sincerely hope and trust all Members, irrespective of any personal prejudice or allusions of the past, will give due consideration to this position and to these remarks. Should we fail in this endeavour, we would perpetrate a great disservice to the people of the Yukon and could effectually destroy the last remnants of Parliamentary democracy in our beloved Territory. Clearly we must not and cannot fail. I thank you, Mr. Speaker.

Mr. Speaker: Madam Clerk, would you ascertain if Mr. Commissioner would now be available for his closing address.

Sergeant-at-Arms: Order. Please be seated.

Mr. Speaker: Mr. Commissioner, the Council of the Yukon Territory is now prepared to hear your Closing Address.

Mr. Commissioner: Mr. Speaker, I have no special remarks to make at this time. As the Members are aware there are no Bills that require my assent at this time, I would simply use this opportunity to thank the Members for the attention they have given to the business at hand. I am not able to confirm firmly at this time, the date of March 13th for the next regular Session of Council. We will have to review the amount of work to be done at that time and I will be confirming either this date or a change, if this is necessary, with all Members within the next few days.

Thank you very much, Mr. Speaker.

Mr. Speaker: On behalf of this House I would like to thank Mr. Commissioner for his remarks. 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

Sessional Paper No. 1 - 1974 First Session

MR. SPEAKER

MEMBERS OF COUNCIL

I AM SORRY TO NOTE COUNCILLOR RIVETT'S ABSENCE FROM THIS SESSION. I WISH TO EXPRESS MY HOPES THAT HE WILL BE ABLE TO RETURN TO HIS DUTIES IN GOOD HEALTH SHORTLY.

I HAVE CALLED THIS SPECIAL SESSION OF THE COUNCIL TO SEEK YOUR ADVICE ON THE MATTER OF THE MEMBERSHIP OF THE ADVISORY COMMITTEE ON FINANCE. AS YOU KNOW, MR. JUSTICE MORROW HAS FOUND THAT THE MOTIONS OF COUNCIL REMOVING COUNCILLOR CHAMBERLIST FROM THE EXECUTIVE COMMITTEE AND REPLACING HIM WITH COUNCILLOR TANNER DID NOT HAVE THE EFFECT OF CHANGING THE MEMBERSHIP OF THE ADVISORY COMMITTEE ON FINANCE. THIS MEANS, THEREFORE, THAT COUNCILLOR CHAMBERLIST IS A MEMBER OF THAT COMMITTEE.

AS A CONSEQUENCE OF THIS DECISION, IT APPEARED THAT THE MEETINGS OF THE SUB-COMMITTEE ON FINANCE WHICH WERE NOT ATTENDED BY COUNCILLOR CHAMBERLIST WERE INVALID. IN ORDER TO CLARIFY THE SITUATION, I SOUGHT THE FURTHER DIRECTION OF THE COURT. MR. JUSTICE MORROW CONFIRMED MY VIEW THAT THE MEETINGS OF THE COMMITTEE WERE INVALID WITH THE RESULT THAT THE RECENT CONSULTATIONS WITH THE ADVISORY COMMITTEE ON FINANCE IN CONNECTION WITH THE 1974-75 ESTIMATES ARE NULL AND VOID.

LAST FRIDAY I RECEIVED LETTERS FROM COUNCILLOR WATSON AND COUNCILLOR STUTTER STATING THAT THEY WOULD RESIGN FROM THE

ADVISORY COMMITTEE ON FINANCE UNLESS THE COUNCIL WAS CALLED INTO SESSION TO DEAL WITH THIS MATTER. THEIR PENDING RESIGNATIONS WOULD HAVE LEFT THE COMMITTEE WITHOUT A QUORUM, MAKING IT IMPOSSIBLE FOR ME TO FULFILL MY OBLIGATIONS UNDER THE YUKON ACT.

THE PURPOSE OF THIS SESSION, THEREFORE, IS TO ASCERTAIN THE WISHES OF THE COUNCIL WITH RESPECT TO THE MEMBERSHIP OF THE ADVISORY COMMITTEE ON FINANCE. NO GOVERNMENT BUSINESS WILL BE PLACED BEFORE YOU AT THIS TIME.



J. SMITH,
COMMISSIONER.



YUKON LEGISLATIVE COUNCIL

10 Koidern Road,
Whitehorse, Y.T.

14 February, 1974

Mr. D. Taylor,
Deputy Speaker,
Yukon Legislative Council,
Whitehorse, Y.T.

Dear Deputy Speaker Taylor,

The apparent impasse which occurred in the House to-day has caused me great concern, particularly since I had formerly been Deputy Chairman of Committee.

If I can have your personal assurance that it is within the rules of the House that while I am acting as Deputy Speaker (but not as Chairman of Committees), even at a point in time when a vote is called for, I be permitted to return the chair to you and that you will accept the chair at that time from me, I will be prepared to offer my name for nomination by you as Acting Deputy Speaker. It is, however, to be understood that this arrangement will only cover the period of this particular session of Council.

I would be grateful if you would give me this assurance while sitting in the chair.

Yours sincerely,

A handwritten signature in cursive script, appearing to read "M. G. Stutter".

M.G. Stutter,
Member for Dawson City.

HISTORY PRESENT LAND HOLDINGS
WATSON FAMILY -- HAINES JUNCTION

1955 - 1963

Family lived in government housing at U. S. Army
Pipeline pumping station at M.P. 1026, Alaska Highway,
where Mr. Watson was employed.

1963

Lease -- Lot 60, Group 803 -- 3.67 acres
Agreement for Sale -- Lot 61, Group 803 -- 1.84 acres
Adjacent to the Alaska Highway, M.P. 1017.

1963

Agreement for Sale to purchase house and lot (67 x 100)
Lot 1, Block 15 -- Home

1966

August -- Registered title to Lot 1, Block 15
townsite of Haines Junction -- R. C. Watson (home)
September -- Registered title to Lot 60, Block 803 -- 3.67 acres
Lot 61, Block 803 -- 1.84 acres
R. C. Watson

1967

September -- Registered title to Lot 19, Lot 20, Block 10
(50 x 100 lots) R. C. Watson

October -- Entered into agreement for sale to purchase
basement, framed house and 50 x 100 lot
under V.L.A.

Lot 18, Block 4 -- R. C. Watson

1968

March -- Registered Title Lot 3 and Lot 4, Block 3
(50 x 100 lots) -- R. C. Watson

Occupied home on Lot 18, Block 4

1969

*** September 25

October -- Registered Title Lot 17, Block 4 (50 x 100)
Ronald and Hilda Watson

This lot is adjacent to lot with house.

On this lot is located our own double garage.

1970

September -- Elected as Territorial Councillor representing
the constituency of Carmacks Kluane.

November -- Sworn in as member of the Executive Committee

December -- Registered Title Lot 19, Lot 20, Block 4

R. C. Watson

These two lots are adjacent to the home and
garage lots. The four lots are fenced and
partially landscaped as our home site.

1971

January 6th -- Executive Committee received privy information regarding a National Park core concept situated at the Kluskawash Glacier and Slims River area.

May 25

June 1st -- Registered Title Lot 5, Block 3 (50 x 100)
R. C. Watson
Adjacent to Lot 3 and Lot 4, Block 3.

December 1st -- Executive Committee received privy information regarding the Kluane National Park and the proposed boundaries thereof.

1972

February 20th -- Son R. A. Watson
Registered Title 4 acres and home
M.P. 1017.3 Alaska Highway

February 23rd -- Public announcement by Honourable J. Chrétien of his intention to establish Kluane National Park.
Boundaries of the park were tabled in Council.

FAMILY HOLDINGS

Lots 60 and 61, Group 803 containing 3.61 and 1.84 acres, purchased from Federal Crown by R. C. Watson, by Agreement for Sale and Lease Option in 1963. Legal Title obtained in August, 1966.

<u>Lot</u>	<u>Block</u>	<u>Date Purchased</u>	<u>Title</u>
1	15	August, 1966	R. C. Watson
18	4	October, 1967	R. C. Watson
19	10	September, 1967	R. C. Watson
20	10	September, 1967	R. C. Watson
3	3	March, 1968	R. C. Watson
4	3	March, 1968	R. C. Watson
17	4	October, 1969	R. C. Watson and Hilda Watson.
19	4	December, 1970	R. C. Watson
20	4	December, 1970	R. C. Watson
5	3	June, 1971	R. C. Watson
19	3	April, 1972	R. C. Watson
20	3	April, 1972	R. C. Watson
25	Group 803	February 20, 1972	Rod Watson

SCHEDULE "B"

AMENDED MOTION 22 -- 1972 (1st SESSION)

It has been moved by Councillor Tanner, seconded by Councillor Stutter that Motion 22 be amended to read:
"That this Council endorses the proposal of the Honourable Jean Chrétien, Minister of Indian Affairs and Northern Development, to establish a National Park in southwestern Yukon to be known as the Kluane National Park and that Council respectfully requests the Honourable Minister to give urgent consideration to

1. making known to the Council the preliminary development plans as soon as possible;
2. making available to the Council as soon as possible the final development plans at least in their general parameter;
3. recognizing Haines Junction as a growth centre to take care of the anticipated population increase that will come as a consequence of the establishment of a National Park;
4. using the experimental farm as the administrative headquarters for the Park; and
5. advising respective property owners of their status as promptly as possible."

MOTION CARRIED

Page 1191

Monday, March 27th, 1972

MOTION 22 -- 1972 (1st SESSION)

It has been moved by Councillor Watson, seconded by Councillor Chamberlist that "this Council endorses the proposal of the Honourable Jean Chrétien, Minister of Indian Affairs & Northern Development, to establish a National Park in south western Yukon to be known as the Kluane National Park, and that this Council respectfully requests the Honourable Minister to

1. make known to the Council the preliminary development plans as soon as possible;
2. make available to the Council as soon as possible the final development plans at least in their general parameters;
3. designate Haines Junction as a growth centre to take care of the anticipated population increase that will come as a consequence of the establishment of the National Park;
4. use the experimental farm as the administrative headquarters for the Park;
5. advise affected property owners of their status as promptly as possible."

SCHEDULE "C"

M.P. 804, Teslin,
January 5, 1972.

Dear Lloyd,

Seasons greetings, Hope you like your new job and location.

I am writing you in regard to your property at Mile 1017. Last October I had Dad ask if you were interested in selling and I think he spoke with you and you were not sure what your plans were at that time.

Since you have moved to Quill Creek I though you would be interested in selling your property.

I would appreciated hearing from you and possibly we could either get together or you could let me know what price you would consider and what would be included with your property.

Best regards to the family.

Yours truly,

C O P Y

Mile 1111 Alaska
Highway,
Quill Creek, Y. T.

Jan. 22, 1972.

Dear Rod & Ernie,

Sorry to take so long at answering your letter but we didn't know what we were going to do.

We still have quite a bit of work to do in the house. Lloyd is going to finish putting new tiles down in the kitchen and he has to put the bath tub in the bathroom. I think Lloyd would like to finish things before he sells.

Maybe you could come up here or we could go down there sometime and discuss the situation.

Lloyd has been working 10 days and then he gets 4 days off so he will have a chance to finish up at the house and maybe get down to Teslin sometime.

The property includes 4 acres (or just about) of land and the house and the garage. The garage is still at the pump station. We have been trying to get someone to move it down since fall but haven't had any luck yet. We would kind of like to sell completely furnished as we haven't any place to put the furniture.

? ? ? we have saddles, bridles etc. and all the rest of the horse equipment in the house but if we sold we could crate all that stuff and send it to Lloyd's

C O P Y

...../2

C O P Y

brother. He has the horses now too.

Could you write and let us know if you will still be interested a little later?

Best regard to Ernie and Gwen.

Yours truly,

Shirley Mattson.

C O P Y

SCHEDULE "D"

SUMMARY NATIONAL PARKS IN YUKON

December 8th, 1942

Governor in Council acting on "Advisory Board on Wildlife Protection" resolution passes Order in Council P.C. 11,142 reserving 10,130 square miles between Kluane Lake and Alaska Boundary and between Alsek and White River.

November, 1959

Proposal for the establishment of a wilderness area or resource area permitting controlled development.

November 25th, 1960

Councillor J. Smith moved, seconded by Councillor Shaw, that the Federal Government be requested to conduct a survey regarding the mineral potential of the Kluane Area.

Motion deferred.

July 5th, 1961

Councillor J. Smith moved, seconded by Councillor Shaw, that Council go on record as in favour of the establishment of National Parks in the Yukon with allowance for mineral development.

November 10th, 1961

Paper entitled "National Park for the Yukon" regarding action taken on July 5th, 1961 Motion distributed to Territorial Councillors.

November 27th, 1961

Memorandum for Council presenting for consideration

- (a) Reference paper Proposed National Park in the Yukon Territory
- (b) Survey results
- (c) Proposed boundary
- (d) Proposed draft of reservation
- (e) Proposed regulations.

March 19th, 1962

Minister's address to Banff Chamber of Commerce "National Parks -- A Resource of the Future" made February 17th, 1962 -- referred to Territorial Councillors.

March 24th, 1962

Yukon Chamber of Mines resolution made to Territorial Council.

April 10th, 1962

Letter of April 9th, 1962 from United Keno Hill Mines presented to Territorial Council.

May 4th, 1962

Moved by Councillor Shaw, seconded by Councillor Livesey, requesting change in the National Parks Act to permit mining in Yukon National Parks.

Moved by Councillor Livesey, seconded by Councillor Taylor, requesting land reservation (O.I.C. 11,142) be reduced in Kluane Area to size described in 1959.

December 3rd, 1962

Moved by Councillor MacKinnon, seconded by Councillor Shaw, that the Federal Government proceed with plans for the establishment of a Yukon National Park subject to (1) reduction in areas, and (2) a survey of mineral potential in order to exclude areas of high mineral content.

Motion Defeated.

April 13th, 1964

Territorial Council Sessional Paper #38 outlining a proposal for the establishment of a "core" area surrounded by reserve area permitting exploration.

March 16th, 1964

Moved by Councillor Taylor, seconded by Councillor Shaw, that a meeting be arranged between National Parks' representatives and Yukon Mining interests.

April 6th, 1965

Councillor Watt moved, seconded by Councillor MacKinnon, that the Territorial Council request

- (1) Ottawa make firm commitments for expenditures in a core of a National Park pending Territorial Council approval.

- (2) That an area not exceeding 20 square miles in the Mount Kennedy area be considered as the "core" of a proposed National Park.

May 20th, 1965

Sessional Paper #7 -- National Parks Branch offers to send officers to Yukon.

November 12th, 1965

Moved by Councillor Taylor, seconded by Councillor Shaw, that the Federal Government be asked to consider amending the National Parks Act to provide for optimum use of resources in National Parks which may be established north of the 60th parallel.

May 12th, 1965

Moved by Councillor Shaw that National Parks Branch have a senior official meeting with the Territorial Council to discuss the National Parks Policy which would affect the Yukon.

April 15th, 1966

Moved by Councillor Thompson, seconded by Councillor Southam, a resolution that core type National Parks be established with surrounding Territorial Parks.

Motion Defeated May 4th, 1966.

May 3rd and 4th, 1966

Mr. Brooks, Chief of Planning Division of National Parks Branch, meets with Territorial Council to discuss establishment of Yukon National Parks.

May 4th, 1966

Moved by Councillor Thompson, seconded by Councillor Southam, that a core type National Park be instituted surrounded by a Territorial Park.

Motion Defeated.

May 6th, 1966

Moved by Councillor Watt, seconded by Councillor Boyd, that the administration take steps to establish a Territorial Park in the Yukon.

Motion Carried.

First Session, 1967

Sessional Paper #64 -- Commissioner J. Smith proposes a study by W. M. Baker on park development including the possibility of a system of territorial parks in the Yukon.

February 26th, 1968

Sessional Paper #3 -- Commissioner J. Smith reports on the progress of the Baker Report.

April 9th, 1969

Speech made by John H. Gordon, Senior Assistant Deputy Minister (Conservation), at the Yukon Northern Resource Conference held in Whitehorse. Speech outlined the core-reserve concept for a National Park in the Kluane Area of the Yukon.

December 14th, 1970

Yukon Conservation Society go on record as formally requesting that the Minister of Indian Affairs and Northern Development initiate hearings on the establishment of national parks and preserves in the Yukon.

March, 1971

A petition of 1,500 signatures in support of the establishment of a National Park in the Kluane Game Reserve area is circulated. 80% of the Kluane people signed. The petition was organized by M. Hoeffs and W. Benjey.

February 12th, 1972

Territorial Councillors consulted individually regarding the proposed boundaries of the Kluane National Park.

February 17th, 1972

Speech from the Throne refers to the intention of the establishment of a National Park in the Yukon.

February 22nd, 1972

Minister announces the creation of a National Park in the Kluane area of the Yukon Territory.

March 16th, 1972

Councillor Watson (Councillor for Carmacks-Kluane Constituency within which the proposed park lies) moves, seconded by Councillor Chamberlist, a motion concerning the proposed park.

(Copy of Motion attached)

March 27th, 1972

Amended motion moved by Councillor Tanner, seconded by Councillor Stutter

(Copy of Motion attached)

Motion Carried.

November 2nd, 1973

Bill S-4 -- A Bill to authorize the Governor in Council to set aside by proclamation as a National Park the land comprising the proposed Kluane National Park.

December 11th, 12th, 1973

Standing Committee on Indian Affairs and Northern Development Public Hearings in Whitehorse regarding the proposed Kluane National Park.

January 9th, 1974

Standing Committee proposes two amendments to Bill S-4 which could affect Kluane National Park.

(See attached)

February 11th, 1974

Councilor Vasek (Councilor in Charge of Kluane National Park)

within which the proposed park land would be included by

Councilor Chamberlain, a motion concerning the proposed

park.

(Copy of motion attached)

March 25th, 1974

Amended motion moved by Councilor Turner, seconded by

Councilor Chamberlain

(Copy of motion attached)

Motion carried

November 2nd, 1973

Bill S-4 of a bill to authorize the Governor in Council

to set aside by proclamation as a National Park the land

comprising the proposed Kluane National Park.

December 11th, 1973

Standing Committee on Indian Affairs and Northern Development

Public hearings in Whitehorse regarding the proposed

CODE OF ETHICS FOR MEMBERS OF THE EXECUTIVE COMMITTEE

Executive members shall not:

1. Buy property or an interest therein for business purposes from the Territorial Government even though he himself does not set the price. Obviously this must exclude such common transactions as buying a bottle of liquor or a piece of property on which to build a house for one's own use;
2. Sell his own property to the Territorial Government or any of its agencies;
3. Administer or use the property of the Territorial Government or any of its agencies in such a way as to derive any profit or advantage for himself, his family, friends or associates;
- * 4. Use information privy to the Administration in such a way as to make a profit for himself or his family, friends or associates;
5. Accept financial gifts or other inducements which could influence his judgement on any matter relating to his public responsibilities; and
6. Appear before a board, agency or committee of the Council, or the Territorial Government on his own behalf or on the behalf of a member of the public, except where agreed upon by the Executive Committee;
- * 7. Use information acquired as a result of membership on the Executive Committee for a period of at least two years after membership on the Committee ceases. A period of two years should be sufficient, but there may be cases where a longer period should apply.

SCHEDULE "F"

Haines Junction,
Alaska Highway,
Yukon Territory,
December 29, 1970.

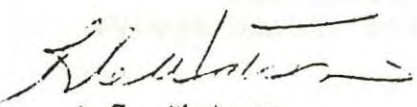
Mr. James Smith,
Commissioner of the Yukon Territory,
Whitehorse, Yukon.

Dear Commissioner Smith:

In 1969 you appointed me as a three year trustee to the Haines Junction Local Improvement District, a position I at present hold as Chairman.

Since the election of my wife to council and subsequently to the executive committee, I feel that it would only be proper for me to submit to you my resignation, in case that you may feel that there could possibly be some conflict of interest. I will continue to hold this office at your pleasure.

Yours truly,


R.C. Watson

c.c.
Secretary, Haines Jct. L.I.D.



GOVERNMENT OF THE YUKON TERRITORY

P. O. BOX 2703, WHITEHORSE, Y. T.

622-14-2-1

8 January, 1971

Mr. R. C. Watson,
Chairman,
Local Improvement District,
Haines Junction,
Alaska Highway M.P. 1016,
Yukon Territory.

Dear Mr. Watson,

Thank you for your letter dated December 29, 1970, tendering your resignation as a Trustee to the Haines Junction Local Improvement District on the grounds of possible conflict of interest.

I am advised that there is no general conflict of interest involved, and in a specific case where possible conflict could arise you can always declare an interest and withdraw from the discussion and vote by recording same in the minutes of the proceedings.

I have, therefore, much pleasure in refusing the resignation on these grounds and I very much hope you will see your way to continuing in your post as Trustee for the balance of your term.

Yours sincerely,

J. Smith
Commissioner

SCHEDULE "H"

HAINES JUNCTION
LOCAL IMPROVEMENT DISTRICT

HAINES JUNCTION, YUKON TERRITORY

MINUTES OF MEETING, JANUARY 4, 1974

In attendance: Chairman - Watson, Trustee - Paquet, Sec.-Treas. - Broten,

The meeting was opened for business at 8:05 P.M.

Moved by L. Paquet, seconded by R. Watson: That the minutes be adopted
as read. CARRIED.

Moved by R. Watson, seconded by L. Paquet: That the financial statement
be adopted as read. CARRIED.

BUSINESS ARISING OUT OF MINUTES:

Mr. L. Paquet has spoken to the R.C.M.P. regarding traffic signs
and they are of the opinion that traffic signs are not necessary at this
time.

Moved by L. Paquet, seconded by R. Watson: That the Board of Trustees
let tenders for the erection of street name signs and traffic signs
within the boundaries of the Haines Junction Local Improvement
District. CARRIED.

Mr. L. Paquet reported that the pump at the pump well house has
been rebuilt.

Mr. R. Watson has written a letter to the Commissioner, (Carbon
copy to the Secretary of the L.I.D.), indicating that since Mrs.
Watson has become a member of the executive committee, he will only
remain a trustee at the pleasure of the commissioner. (Letter
on file)

The trustees spent considerable time discussing capital estimates
for next year.

The meeting was adjourned by the chairman.



GOVERNMENT OF THE YUKON TERRITORY

P.O. Box 2703,
Whitehorse, Y.T.

April 16, 1971.

Mr. Ronald C. Watson,
Haines Junction, Y.T.

Dear Ron,

Thank you for your letter of April 7, 1971, resigning your appointment as one of Her Majesty's Justices of the Peace in and for the Yukon Territory. I can understand that the duties, though not unduly heavy, can cause lots of problems. Thank you very much for your service in the administration of justice although most of your service was prior to my involvement.

Yours truly,

A handwritten signature in dark ink, appearing to read 'P. O'Donoghue'.

P. O'Donoghue,
Legal Adviser.
Director of Legal Affairs.

PO'D/ac

SCHEDULE "J"

H A I N E S J U N C T I O N

L O C A L I M P R O V E M E N T D I S T R I C T

HAINES JUNCTION, YUKON TERRITORY

PUBLIC OFFICIALS DISCLOSURE BY LAW

A by-law of the Haines Junction Local Improvement District regarding disclosures by public officials.

Whereas by Section 13 (1) of Local Improvement District Ordinance, being chapter L-9, 1965(2nd) C.1, 5. 1. the Trustees of the Haines Junction Local Improvement District have been given the power to pass by laws setting the procedures to be followed.

Now therefore the Trustees of the Haines Junction Local Improvement District enact as follows:

In this by law, unless the context otherwise requires, family means the spouse of a public official or any child of his who has not attained the age of majority; "interest where used in relation to a public official or his family means.

- (1) any trade, business, profession or enterprises operating in Yukon Territory with which the public official or his family is or was associated as an employee, officer, owner or part owner, director, trustee, partner, advisor or consultant
- (11) debt owed to a creditor of the public official or his family, other than,
 - A. a mortgage on land that the public official occupies as his ordinary residence; or
 - B. current and ordinary household on a personal living expenses; and
- (111) right of ownership, whether direct or indirect, legal or beneficial in real or personal property, other than property that the public official and his family occupy as, or incidental to, their ordinary residence
But does not include any interest designated to be exempt by order of the Commissioner in Council.

"public officials means a person who is a mayor, alderman, or member of council of the city, district, town or village in the District
and includes any senior government official whether elected or not who is designated by order of the local government as applicable to this district.

H A I N E S J U N C T I O N
L O C A L I M P R O V E M E N T D I S T R I C T

HAINES JUNCTION, YUKON TERRITORY

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2. WRITTEN DISCLOSURE

* Every Public Official shall:

- a. not later than the 15th day of the month following the month that he assumes office as a public official; and thereafter between the first and fifteenth day of January and the first and fifteenth days of July in each year during which he is a public official and
- b. not later than the 15th day of the month following the month that he ceases, for any reason other than his death to be a public official.

disclose and describe any interest that he or his family had at any time during the six month period immediately preceeding the first day of the month on which he made his disclosure

A disclosure made under sub section(1) shall state that the public official or his family has or had an interest and shall describe the nature of the interest, indicating the location of real property but need not disclose the pecuniary interest or extent of involvement or the interest.

3. A disclosure made under sub section (1) shall be made or written to the Board of Trustees to which a public official is elected.
 - (1) where a public official or his family has after the date of his last written disclosure acquired any interest on a matter that is being considered by the board of trustees to which he has been elected the public official shall, before he speaks to or votes on the matter, orally disclose the interest to the Board of Trustees.
 - (11) every oral disclosure made under sub section (1) shall be recorded in the minutes or proceedings at which the disclosure is made.
4. The failure of a public official to comply with section 2 or 3 shall not of itself invalidate any matter or proceeding, note or contract.
5. (1) The secretary of the Board of Trustees to whom a written disclosure is made shall upon a written request being made produce for inspection by the person making the written request the written disclosure of a public official.

H A I N E S J U N C T I O N

L O C A L I M P R O V E M E N T D I S T R I C T

HAINES JUNCTION, YUKON TERRITORY

- 3 -

5. (11) the public official shall be informed by the secretary of the board of trustees the names of the person who has inspected the written disclosure of the public official
6. For the purpose of carrying out the by-law according to their interest the Commissioner in Council may make such regulations and orders as are thereto and not inconsistent therewith and as are considered necessary or advisable, and every regulation and order made under this section shall be deemed to be part of the by-law and have its force of law.
7. Every public official who refuses to or neglects to comply with section 2, 3 shall be immediately removed from the office to which he or she has been elected. The responsibility for such action will rest with the board of trustees.
8. It is a defence to a charge under this by-law to show that the public official complied with the by-law to the best of his knowledge and belief.

"SCHEDULE K"

Three maps of Haines Junction were displayed to clarify the land holdings situation.

They were:

1. Haines Junction Site Plan; Drawing No. H.J.S.-19.
2. Zoning Map 1 of Haines Junction - key map of the proposed boundaries of the Local Improvement District; Drawing 013; Project No. 7205.
3. Zoning Map 2 of Haines Junction - Zoning By-law, Initial Stage; Drawing 011, Project No. 7205.

February 20, 1974

Mr. Chairman

The Board of Trustees would like to give you a brief resume of local government in Haines Junction.

During the 1960's this community was serviced by an elected advisory committee composed of three members who advised the Territorial Government of the requirements and desires of the local community, while this group served a function of sorts it was only advisory in nature, did not have any funds or local decision making powers. In 1969 a plebiscite was held and the community requested the L.I.D. status and the community submitted the names of five residents who were willing to serve on the board of trustees. Commissioner Smith in accordance with the Local Improvement District Ordinance appointed three residents for 1-2-3 year terms respectively since that time we have had annual elections and for the past two years have had a fully elected board.

We hold monthly meetings open to the public and hold special semi-annual and annual public meetings and attempt to give our residents input and to represent and present the views of our community.

Our annual elections are always contested and a very high percentage of our residents turn out to vote for the individual candidates.

The Board of Trustees prepare their own operational and capital budgets, purchase equipment, hire personnel, provide snow removal, street maintenance, sewer line operation, water delivery, fire protection and general community services. We also meet with the various government departments, survey and study groups that are inquiring into the requirements of our community.

We feel that our L.I.D. works well and provides our residents with local government and decision making power at the community level.

R. Watson

Chairman

Since September 1972 we have been working with Mr. Des Parker, town planner and the Territorial Government on zoning plans for our community, we have held a total of six public meetings to obtain input from residents and finally on Jan 23/74 we passed the zoning plan as amended and within the next two months hope to pass the covering regulations.

Throughout the above mentioned public meetings the desire was expressed to control the future development in Haines Junction area for the following reasons:

1. To provide for water and sewer services within a designated area for commercial and residential purposes.
2. To encourage government and private individuals to build within the townsite area in order to have maximum use of the services provided and provide for orderly community development.
3. To provide the necessary services for future development that could be expected from Kluane National Park.
4. To discourage further building on the fringes of the L.I.D. until such time as a reasonable use has been made of the present townsite area.
5. Ensure that the community have input and be consulted on any future highway relocation or by-passes affecting this area.
6. Allow residents in the area surrounding Haines Junction to participate in the decisions that are being made by the L.I.D. that effect them as well as the people who live within the present L.I.D. boundaries. A good example of this is the decision of the L.I.D. to change the name of Haines Junction, while this met with the approval of the L.I.D. residents, people living outside were unable to vote and complained because they were restricted from voting.

From these requests it became evident that it would be necessary to apply for extension to the present L.I.D. boundaries, it then became necessary to try to establish where the boundaries should be extended, the present application is based on these facts and on the following selection of borders.

Westerly - To west side of old Experimental Farm

1. a) The L.I.D. at present provide trucked water delivery and fire protection to this area.
- b) Any future development of the old experimental farm should be accomplished in consultation of the L.I.D. as any development there would affect Haines Junction commercial and residential development.

South

1. a) One mile south of Dezadeash river in order to provide for watershed control on river water.

Easterly - Past the present dump

1. a) The L.I.D. have established a refuse disposal area approximately one and a half miles from the townsite, the L.I.D. are responsible for properly maintaining this area, providing for snow removal from the roads, applying calcium chloride for dust control, fire hazard control etc.

For these reasons we felt the boundaries should be extended just past this area.

North

This area presented the most difficult decision for extension as the future development of the community is forecast for this area, on the west side of the highway we have planned the area for light industrial development and for the future Haines Junction Airport.

On the East side of the highway for future residential, park and institutional development, as well as adequate provision for open space areas that could accommodate the future requirements dictated by park development.

Pine Lake has also been selected as one of the possible sites for water supply to the community of Haines Junction and in fact all development in this area has been restricted by Territorial Govt., at the present time until a decision on water supply has been determined.

For these reasons we decided to request that the Alaska Highway be used as a borderline easterly to meet the borderline that will run North from the dump area.

The total area would be 15.5 square miles.

CONCLUSION

The main opposition that we have received seems to come from the size of the boundary extension and its possible limiting of trapping and hunting and that the Board of Trustees would have control over the disposition of land in the area.

We do not consider the boundary extension area to be excessive many people are quoting 40 square miles, actually it is close to 15 square miles and is within the area where we at present provide fire, water and other services.

Hunting, trapping and restriction of firearms, we would refer your attention to the letter from Local Government of 28 Dec/73 stating that the only prohibition to firearms would be the restriction of discharging firearms within 500 yards of the area zoned for community.

All land within the area is under the control of the Government of Yukon and the L.I.D. has no power to dispose of any property by lease, sale or otherwise.

We would conclude that in order for our L.I.D. and community to grow properly, development must be adequately controlled and the residents living in the local area should be the people who decide where they wish this growth to take place, the only way this can be accomplished is for all people living in the area to have a voice and participate, for this reason we are in favor of boundary extension as a means to accomplish our aim.

R. Watson
Chairman

J. Brewster
Trustee.

HAINES JUNCTION LOCAL IMPROVEMENT DISTRICT

Haines Junction
Yukon
February 13, 1974

To Whom it May Concern,

I, Florence Schulmeister, Secretary-Treasurer of Haines Junction Local Improvement District certify that the attached brief was typed by myself February 11, 1974 as the submission for presentation at the hearings on the proposed boundary extension for Haines Junction Local Improvement District.



Florence Schulmeister
Secretary-Treasurer
Local Improvement District
Haines Junction