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The Yukon Legislative Assembly

Number 16

2nd Session

23rd Legislature

Debates & Proceedings

Wednesday, March 26, 1975

Speaker: The Honourable Donald Taylor

Yukon Legislative Assembly
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The Yukon Legislative Assembly

1979

Debates & Proceedings

Wednesday, March 28, 1979

The Yukon Legislative Assembly

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Mr. Speaker reads daily prayer

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.

ROUTINE PROCEEDINGS

Mr. Speaker: Are there any documents for tabling this morning?

The Honourable Member from Kluane.

Hon. Mrs. Watson: Mr. Speaker, I have for tabling this morning, Legislative Return Number 9.

Mr. Speaker: Are there any further documents or correspondence for tabling?

The Honourable Member from Whitehorse North Centre.

Hon. Mr. McKinnon: Mr. Speaker, I have for tabling today, Legislative Return No. 8.

Mr. Speaker: Are there any reports of Committees?

From the Chair and by way of a subsidiary report from your select Committee on Rules and Procedures and Privileges, I have received a communication from the Commonwealth Parliamentary Association in response to the Resolution of the House asking for membership. It reads:

"Many thanks for your telex and letter of March 14th, forwarding the resolution of your Assembly relating to membership in the Commonwealth Parliamentary Association. The elected officers of the Canadian Branch of the Commonwealth Parliamentary Association, met yesterday. They welcomed this development with enthusiasm and have asked me to put it on the agenda on the forthcoming Executive Committee meeting of the Canadian branch which should take place during the week of April 14th. We will take advantage of that opportunity to introduce the necessary resolutions supporting your application for membership which would then be formally transmitted to the Secretary General of the Association, Mr. Robin Vanderfelt, in London, England, for consideration at the Association's Executive Committee meeting which I believe is scheduled for May 23 to 31. Senator Allister Grosart will be attending that meeting as Canadian Regional Counsellor and would take the responsibility for guiding this through the meeting".

And this is a communication from Mr. Ian Imrie.

Are there any further reports of Committees?

Introduction of Bills?

Notices of Motion or Resolution?

Notices of Motion for the Production of Papers.

ORDERS OF THE DAY

Mr. Speaker: We will then proceed to the Order Paper, and we have before us this morning, Motion Number 9, moved by the Honourable Member from Whitehorse Riverdale, seconded by the Honourable Member from Watson Lake, that it is the opinion of this house that the offices of the senior mining section personnel and support personnel of the Northern Natural Resources and Environment Branch of the Department of Indian and Northern Affairs, should remain in the Federal Building in the downtown area of Whitehorse.

Would the Honourable Member from Whitehorse Riverdale be prepared to discuss his motion at this time?

Mr. Phelps: Mr. Speaker, this motion of course, involves one of our most important industries in the Yukon and I would like for somebody to move this motion into Committee of the Whole so that we can have input by way of witnesses from the industry concerned.

Mr. Speaker: The Honourable Member from Whitehorse Porter Creek.

Mr. Lang: Mr. Speaker, I move that we move motion number 9 into Committee of the Whole for further discussion.

Mr. Speaker: Is there a seconder?

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

Mr. Speaker: It has been moved by the Honourable Member from Porter Creek, seconded by the Honourable Member from Pelly River that Motion Number 9 be referred to Committee of the Whole for discussion. Are you prepared for the question?

Some Members: Question.

Mr. Speaker: Are you agreed?

Some Members: Agreed.

Mr. Speaker: I shall declare that the motion is carried.

Motion Carried

Mr. Speaker: We now have come to the question period, and Madam Clerk, could you ascertain if Mr. Commissioner would be available to the House this morning.

Madam Clerk Leaves Room

Mr. Speaker: I will at this time declare a brief recess.

Recess

Mr. Speaker: At this time we will call the House to order and may we proceed with the question period.

QUESTION PERIOD

Mr. Speaker: Have you any questions this morning?
The Honourable Member from Hootalinqua.

Question re: Duplication Of Welfare Services

Mr. Fleming: Mr. Speaker, I would like to ask the Minister of Health and Welfare as to the persons receiving welfare, do you work by any chance, hand in hand with the Department of Indian Affairs. In other words, is there a possibility at any time that you may be, in the Territorial Government giving out welfare cheques and possibly be an overlapping coming from the Department of Indian Affairs?

Mr. Speaker: The Honourable Member from Kluane?

Hon. Mrs. Watson: Mr. Speaker, anything is possible. I would hope that we are working with Indian Affairs, that there may be specific instances where this hasn't happened. If there is an indication that the Honourable Member has some indication where this may be happening, I would certainly like the information, in private.

Mr. Speaker: The Honourable Member from Whitehorse South Centre.

Question re: Withdrawal of Homemaker Services

Dr. Hibberd: Mr. Speaker, I have a question for the Minister of Health, Welfare and Rehabilitation. In view of the decision made last night by the Yukon Social Services Association to withdraw their Homemaker Service because of lack of funding, will the Minister be considering any alternate methods of supplying this service?

Mr. Speaker: The Honourable Member from Kluane.

Hon. Mrs. Watson: Mr. Speaker, we always have to look at alternate methods of providing social services to the clientele in the Yukon and more specifically in

the Whitehorse area. But at the present time, under the statutory obligations of the Territorial Government, our commitment is more in the area of the people who are in the needy class. Now if we expand this service to people who are not categorized as being in the needy class, then we would have to come back to this House to get sufficient funding to carry on this complimentary program.

Mr. Speaker: The Honourable Member from Hootalinqua.

Question re: Liability For Helping Injured

Mr. Fleming: Yes, Mr. Speaker, I have another question on health and welfare, but I will direct my question to the legal advisor.

In the case of an accident, say in a small town where you can't possibly find a nurse and it is a fairly severe accident, and you as just an individual person take a hand in giving a helping hand to the injured, and possibly arranging to get him to a hospital or something, and in the process of this he or she has some effects, due to the fact that you have helped. Is there any protection under the law in this case for the person helping?

Mr. Speaker: Mr. Legal Advisor.

Mr. Legal Advisor: Mr. Speaker, there is no specific protection by law, but the common law provides that in such cases, the courts will invariably rule in favour of the person who has assisted, provided it brings normal, reasonable attention and care to the work they're doing.

Mr. Speaker: The Honourable Member from Hootalinqua.

Question Re: Good Samaritan Act

Mr. Speaker: Mr. Legal Advisor.

Mr. Legal Advisor: Mr. Speaker, there has been a few Good Samaritan Acts passed in North America, There has been Good Samaritan Acts advocated mainly by members of the medical profession to protect them against actions of malpractice, in the courts, for work which they do at the scene of an accident when they do not have the specialized equipment ready to hand to deal with the situation.

But in Canada, such actions by members of the public are virtually unknown and I don't know of any successful action in Canada, although there are supposed to have been one or two in America, but usually they're settled by the insurance companies of the doctor. to save the doctor being in court. rather than because of the requirements of the law itself.

Mr. Speaker: The Honourable Member from Klondike?

Question re: Proposed Legislation

Mr. Berger: Mr. Speaker, I have a question for Mr. Commissioner: Would Mr. Commissioner assure this House, that the Members of this House, receive proposed legislation well in advance of the next session?

Mr. Speaker: Mr. Commissioner?

Mr. Commissioner: Mr. Speaker, this is a promise that I can't undertake at all. The wishes, as I understand it, in the Executive Committee are to have a Legislative Session of the House as promptly as possible. This infers that the Session will be called as quickly as the Legislation that is to be presented will be prepared. So that really, what you are saying -- or the wishes in the Executive Committee is that these two things are going to coincide so very obviously, if we are going to get the legislation out well in advance of the session the calling of the session is going to be further delayed, Mr. Speaker.

It is an undertaking that is just not a practical one for me to do, if indeed the wishes of Ex-Com are to be taken care of, namely, as soon as the legislation is ready we wish a Session of the House to be called.

You can't have it both ways.

Mr. Speaker: The Honourable Member from Hootalinqua?

Question re: Open Liquor In Cafes

Mr. Fleming: Yes, Mr. Speaker, I have another question for the Legal Advisor in respect to our Liquor Ordinance.

I notice in here under restaurant licence that there is no curtailment of how much liquor, open liquor you will sell at the tables and as to how much you will take in in monies in your cafe for food. I know it used to be in the Ordinance, has it been taken out of the Ordinance or is it just left out of this book?

Mr. Speaker: Mr. Legal Advisor?

Mr. Legal Advisor: Mr. Speaker, it is not in the Ordinance. It is a question of policy and it is set by Commissioner's Regulations and inserted within the legal powers of making it a condition of the issue of a restaurant licence to the holder of that licence that he do certain things and one of them is that he make returns in respect of the Relative amounts of liquor as opposed to food that is sold in the restaurant.

Mr. Speaker: Are there any further questions?
I would like then to thank Mr. Commissioner for assisting us in Question Period this morning.
May we now, perhaps proceed to Public Bills.

PUBLIC BILLS

Mr. Speaker: What is your pleasure at this time?
The Honourable Member from Kluane?

Amendments to Bill Number 6 First Reading

Hon. Mrs. Watson: Mr. Speaker, I would move, seconded by the Honourable Member from Mayo that

the Amendments to Bill Number 6 be now read a First time.

Mr. Speaker: It has been moved by the Honourable Member from Kluane, seconded by the Honourable Member from Mayo that the Amendments to Bill Number 6, the Compensation for Victims of Crime Ordinance, be now read for a First Time.

Are you prepared for the question?

Some Members: Question.

Mr. Speaker: Are you agreed?

Some Members: Agreed.

Mr. Speaker: I declare the Motion carried.

Motion Carried

Mr. Speaker: When shall the Amendments be read for the second time?

Amendments to Bill Number 6 Second Reading

Hon. Mrs. Watson: Now, Mr. Speaker, I move, seconded by the Honourable Member from Mayo that the Amendments to Bill Number 6 be now read a second time.

Mr. Speaker: It has been moved by the Honourable Member from Kluane, seconded by the Honourable Member from Mayo the Amendments to Compensation for Victims of Crime Ordinance be now given Second Reading.

Are you prepared for the question?

Some Members: Question.

Mr. Speaker: Are you agreed?

Some Members: Agreed.

Mr. Speaker: I shall declare the Motion carried.

Motion Carried

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

Amendments to Bill Number 6 Third Reading

Hon. Mrs. Watson: Now, Mr. Speaker. I move, seconded by the Honourable Member from Mayo that Bill Number 6 be now read a Third Time.

Mr. Speaker: It has been moved by the Honourable Member from Kluane, seconded by the Honourable Member from Mayo that Bill Number 6, entitled Compensation for Victims of Crime Ordinance be now given Third Reading.

Are you prepared for the question?

Some Members: Question.

Mr. Speaker: Are you agreed.

Some Members: Agreed.

Mr. Speaker: I shall declare the motion carried.

Motion Carried

Mr. Speaker: Are you prepared to adopt the title to the Bill.

Hon. Mrs. Watson: Yes, Mr. Speaker. I move, seconded by the Honourable Member from Mayo that the title to Bill Number 6 be adopted as written.

Mr. Speaker: It has been moved by the Honourable Member from Kluane, seconded by the Honourable Members from Mayo that the title to Bill Number 6, Compensation for Victims of Crime Ordinance be adopted as written.

Are you prepared for the question?

Some Members: Question.

Mr. Speaker: Are you agreed?

Some Members: Agreed.

Mr. Speaker: I shall declare the Motion carried.

Motion Carried

Mr. Speaker: What is your further pleasure? The Honourable Member from Mayo?

Hon. Mr. McIntyre: Mr. Speaker, I move, that the Amendments to Bill Number 14 be now read for the first time.

Amendments to Bill Number 14 First Reading

Mr. Speaker: Is this Bill number 14?

Hon. Mr. McIntyre: Yes. Seconded by the Honourable Member from Kluane.

Mr. Speaker: It has been moved by the Honourable Member from Mayo, seconded by the Honourable Member from Kluane, that the Amendments to Bill 14, Government Employee Housing Plan Ordinance be given First Reading at this time.

Are you prepared for the question?

Some Members: Question.

Mr. Speaker: Are you agreed?

Some Members: Agreed.

Mr. Speaker: I shall declare the Motion carried.

Motion Carried

Mr. Speaker: When shall the Amendments be read a Second Time?

Amendments to Bill Number 14 Second Reading

Hon. Mr. McIntyre: Now, Mr. Speaker, I move, seconded by the Honourable Member from Kluane that the amendments to Bill No 14 be now read for the second time.

Mr. Speaker: It has been moved by the Honourable Member from Mayo, seconded by the Honourable Member from Kluane that the Amendments to Bill No 14, Government Employee Housing Plan Ordinance be given second reading at this time. Are you prepared for the question?

Some Members: Question.

Mr. Speaker: Are you agreed?

Some Members: Agreed.

Mr. Speaker: I shall declare the motion carried.

Motion Carried

Bill Number 14 Third Reading

Hon. Mr. McIntyre: Mr. Speaker, I move, seconded by the Honourable Member from Kluane that Bill No 14 be now read a third time.

Mr. Speaker: It has been moved by the Honourable Member from Mayo, seconded by the Honourable Member from Kluane that Bill No 14, entitled Government Employee Housing Plan Ordinance be now read a third time. Are you prepared for the question?

Some Members: Question.

Mrs. Whyard: I rise to oppose the principle of this Bill.

Mr. Speaker: Proceed. Did you wish to speak at third reading.

Mrs. Whyard: Yes, Mr. Speaker.

Mr. Speaker: Proceed.

Mrs. Whyard: Mr. Speaker, I opposed in this Bill in the Committee, on the principle that there are better ways to handle the problem of providing housing for Yukon Government Territory employees.

My concern is not to prevent housing plans being carried through but to provide the best possible one for the Yukon at this time.

Mr. Speaker: Is there any further debate? Are you prepared for the question?

Some Members: Question.

Mr. Speaker: Are you agreed?

Some Members: Agreed.

Mrs. Whyard: Disagree.

Mr. Speaker: I must declare that the motion is carried.

Motion Carried

Mr. Speaker: Are you prepared to adopt the title to the Bill?

Hon. Mr. McIntyre: Yes, Mr. Speaker, I move, seconded by the Honourable Member from Kluane that the title to Bill No. 14 be adopted as written.

Mr. Speaker: It has been moved by the Honourable Member from Mayo, seconded by the Honourable Member from Kluane that the title to Bill No 14, namely Government Employee Housing Plan Ordinance be adopted as written. Are you prepared for the question?

Some Members: Question.

Mr. Speaker: Are you agreed?

Some Members: Agreed.

Mr. Speaker: I shall declare that the motion is carried.

Motion Carried:

Mr. Speaker: Bill No 14 has passed this House.

Amendments to Bill Number 19 First Reading

Hon. Mr. McKinnon: Mr. Speaker, I would move, seconded by the Honourable Member from Mayo that the Amendments to Bill No 19 be read for the first time.

Mr. Speaker: It has been moved by the Honourable Member from Whitehorse North Centre, seconded by the Honourable Member from Mayo that the amendments to Bill No 19, the Community Assistance Ordinance be read now for the first time. Are you prepared for the question?

Some Members: Question.

Mr. Speaker: Are you agreed?

Some Members: Agreed.

Mr. Speaker: I shall declare that the motion is carried.

Motion Carried

Mr. Speaker: When shall the amendments be read for a second time?

Amendments to Bill Number 19 Second Reading

Mr. McKinnon: Now, Mr. Speaker I would move, seconded by the Honourable Member from Mayo that the amendments to Bill No 19 be read for a second time.

Mr. Speaker: It has been moved by the Honourable

Member from Whitehorse North Centre, seconded by the Honourable Member from Mayo that the Amendments to Bill No 19, Community Assistance Ordinance be now read a second time. Are you prepared for the question?

Some Members: Question.

Mr. Speaker: Are you agreed?

Some Members: Agreed.

Mr. Speaker: I shall declare the motion carried.

Motion Carried

Bill Number 19 Third Reading

Hon. Mr. McKinnon: Mr. Speaker, I would move, seconded by the Honourable Member from Mayo that third reading be given to Bill Number 19.

Mr. Speaker: It has been moved by the Honourable Member from Whitehorse North Centre, seconded by the Honourable Member from Mayo that Bill Number 19, entitled Community Assistance Ordinance be now given third reading. Are you prepared for the question?

Some Members: Question.

Mr. Speaker: Are you agreed?

Some Members: Agreed.

Mr. Speaker: I shall declare the motion is carried.

Motion Carried

Mr. Speaker: Are you prepared to adopt the title to the Bill.

Hon. Mr. McKinnon: Mr. Speaker, I would move, seconded by the Honourable Member from Mayo, that the title to Bill Number 19 namely the Community Assistance Ordinance be adopted as written.

Mr. Speaker: It has been moved by the Honourable Member from Whitehorse North Centre, seconded by the Honourable Member from Mayo, that the title to Bill Number 19, namely the Community Assistance Ordinance be adopted as written. Are you prepared for the question?

Some Members: Question.

Mr. Speaker: Are you agreed?

Some Members: Agreed.

Mr. Speaker: I shall declare that the motion is carried.

Motion Carried

Mr. Speaker: Bill Number 19 has passed this house.

Motion Carried

Bill Number 2 Third Reading

Hon. Mr. McKinnon: Mr. Speaker, I would move, seconded by the Honourable Member from Mayo that third reading be given to Bill No. 2.

Mr. Speaker: It has been moved by the Honourable Member from Whitehorse North Centre, seconded by the Honourable Member from Mayo, that third reading that Bill Number 2, First Appropriation Ordinance, 1975-76 be now read a third time. Are you prepared for the question?

Some Members: Question.

Mr. Speaker: Are you agreed?

Some Members: Agreed.

Mr. Speaker: I shall declare the motion as carried.

Motion Carried

Mr. Speaker: Are you prepared to adopt the title to the Bill?

Hon. Mr. McKinnon: Mr. Speaker, I would move, seconded by the Honourable Member from Mayo that the title to Bill No. 2, namely the First Appropriation Ordinance, 1975-76 be adopted as written.

Mr. Speaker: It has been moved by the Honourable Member from Whitehorse North Centre, seconded by the Honourable Member from Mayo that the title to Bill Number 2, namely First Appropriation Ordinance, 1975-76 be adopted as written. Are you prepared for the question?

Some Members: Question.

Mr. Speaker: Are you agreed?

Some Members: Agreed.

Mr. Speaker: I shall declare the motion as carried.

Motion Carried

Mr. Speaker: Bill Number 2 has passed this house.

Mr. Speaker: May I have your further pleasure?

Mr. Lang: Mr. Speaker, I move that Mr. Speaker do now leave the Chair and the House resolve into Committee of the Whole for the purpose of considering Bills, Sessional Papers and Motions.

Mr. Speaker: Is there a seconder?

Hon. Mrs. Watson: Mr. Speaker, I'll second that.

Mr. Speaker: It has been moved by the Honourable Member from Whitehorse Porter Creek, seconded by the Honourable Member from Kluane, that Mr.

Speaker do now leave the Chair and the resolve into Committee of the Whole for the purpose of considering Bills, Sessional Papers and Motions. Are you prepared for the question?

Some Members: Question.

Mr. Speaker: Are you agreed?

Some Members: Agreed.

Mr. Speaker: I shall declare the motion is carried.

Motion Carried

Mr. Speaker: The Honourable Member from Whitehorse Riverdale will take the chair in Committee of the Whole.

Mr. Speaker Leaves the Chair.

COMMITTEE OF THE WHOLE

Mr. Chairman: I will now call the Committee to order and before declaring a recess, Mr. Legal Advisor, do we have a reply from Justice on the Proposed Amendment.

Mr. Legal Advisor: No, Mr. Chairman, I've had a conversation with a lawyer in the department of the Solicitor General, but we've had no formal reply to the telex we just sent to them.

Mr. Chairman: Thank you. I'll now declare a ten minute recess. Oh, Mrs. Watson.

Hon. Mrs. Watson: Mr. Chairman, before the recess, I have information on questions that were asked in Committee and possibly the Clerk could distribute them during the recess.

Mr. Chairman: Thank you Mrs. Watson. I'll now declare a ten minute recess.

Recess

Motion Number 9

Mr. Chairman: I think the first matter to be dealt with this morning is Motion No 9, moved by the Chairman, seconded by Mr. Lang, that it is the opinion of this House, that the Offices of the Senior Mining Section Personnel and Support personnel of the Northern Natural Resources and Environment Branch of the Department of Indian and Northern Affairs, should remain in the Federal Building in the downtown area of Whitehorse. We have in the gallery two people from the Chamber of Mines, Mr. Ogilvie, who's the manager of that Chamber and Mr. Mike Phillips who is a past president and with your concurrence, I'd like to invite them to attend as witnesses. Is that agreed?

Some Members: Agreed.

Mr. Chairman: This is your Chairman's Motion of course, and what I propose to do is I'll ask some questions from the Chair, when the Honourable

Members have asked their questions and if any debate ensues, I'll pass the Chair over to the Vice Chairman.

Mr. Ogilvie, perhaps we could start out by your explaining the Chambers position on this move and exactly what the move entails.

Mr. Ogilvie: Yes, Mr. Chairman, traditionally there have been all the offices concerned with the mining industry have been downtown and these come under three sort of sections. The Supervising Mining Recorder Section, the Regional Geologist Section and the Mining Inspector's Section.

The advantage of having these downtown is twofold really. That they are far more accessible to two thirds of the Yukon population that live in Whitehorse, the proposal is that they be moved up to the hill to Takhini which is not very accessible to anybody who doesn't live in Takhini.

So I think the primary thing is that it's the withdrawal of a service that the public has become accustomed to use in a very accessible place.

The second point and you can judge which of these two is the most important, is that Whitehorse as the capital city and the major centre in the Yukon is where all the outside mining people come to do business, relating to the entire Yukon area. And they have been accustomed to the services being provided in an easily -- in a place that's easy to get.

Now with the exception of one part of these three sections, the proposal is, as we understand it, because the proposal has never really been discussed with the industry, it's never been proposed with the industry, but as we understand it, the proposal is that all of these three sections that I have mentioned are to be moved to Takhini with the exception of the Whitehorse Mining Recorder. I'll point out that there are four mining districts and hence four Mining Recorders in the Yukon, Mayo, Dawson, Watson Lake and Whitehorse. So the only thing that would remain downtown would be just those services that the Whitehorse Mining Recorder operates which is one fourth of one third of the services that we're concerned about.

Mr. Chairman: Thank you Mr. Ogilvie. Mr. Phillips, do you have anything to add at this point by way of introduction.

Mr. Phillips: I think the only thing I can add is that about two years ago when I was president of the Chamber of Mines, someone brought it to our attention that these services would be moved up to Takhini, I requested, went to the Commissioner and requested that these services still remain downtown, because of convenience, to the mining industry and also convenience to the public. And he agreed with us and the move was postponed or delayed.

Since that time we've had no communication with the Regional Director regarding a move and we're somewhat surprised that they are planning to move these services up to Takhini.

I think one thing you should keep in mind is that that the map service provided by the Regional Geologist is not only used by mining companies, but also by the general public and also by tourists. It gives them an opportunity to purchase plans of the Yukon, downtown. It's very convenient for them.

Mr. Chairman: Mr. Ogilvie.

Mr. Ogilvie: I'd just like to clarify one point that Mike made there, that about two months ago, we started to hear rumours again that what we had thought had died two years ago was on the move again. So in fact, we did make a representation in January, protesting the move. We had a reply which didn't indicate that the move was going to stop. This was the first formal communication that we had that there was in fact a move. And then since that time, we did have a meeting with the Regional Director which didn't result in any assurance that the move would be stopped.

So I just wanted to correct the record there that we have been in communication for the last two months. We're not coming to you as our first move, it's our sort of last move, or last resort.

Mr. Chairman: When are they going to move, do you know? If they go ahead?

Mr. Ogilvie: This week-end.

Mr. Chairman: Mr. Taylor?

Hon. Mr. Taylor: Yes, Mr. Chairman I have been more than pleased to second this Motion. I am extremely disturbed, as are the members of the industry as represented here, of the moving of these facilities to the Takhini area or outside of the downtown area of Whitehorse and isolating, virtually isolating these facilities, essential facilities from the general public and the industry.

I think that all Members of Committee will agree with me when I say that the Yukon Territory has largely a resource based economy. We look to the development of resources and the encouragement of development of resources in the Territory for our future revenues and growth within the Yukon.

I feel in supporting Motion No 9 that it is essential that the public have access to these facilities. It was outlined the persons, the officers are very important, the geologists, the Resident Geologist, the G.S.C. facilities, the mapping services, which also include everything from air photos to geological and technical publications and this type of thing. The Mine Inspector, people who have problems related to safety, problems related to any aspect of the Mining Inspectors offices should have easy access to this person, as is the case with the Mining Recorder himself, who I understand is remaining.

I could not stress too strongly that something must be done and I would certainly ask that the Administration consider conveying, should this Motion be accepted, conveying the sincere concern we have for this move and try to stop it before it continues.

Mr. Chairman: Thank you Mr. Taylor. Mr. McCall?

Mr. McCall: Thank you, Mr. Chairman. I would like to go on record as saying I don't fully concur with the Honourable Member of what he has just stated.

I would just like to ask Mr. Ogilvie, if he can give us the explanation he was given as to the reasons why you are moving?

Mr. Ogilvie: It is going to be very difficult really because I don't recall getting any reasons that really translate into -- broadly speaking there seems to be more concern in internal organization than anything else. They seem to have -- I should say that the 3 sections that we are concerned with are part of the larger organization, environmental part of it I haven't mentioned. Apparently there are certain central services and apparently the idea is to consolidate all these central services up the hill there and bring the tag end of it, the mining industry end of it, the part of it that brings in 2 hundred million dollars a year here in it as sort of an after thought so they can go up there and use somebody else's drafting services, or whatever. I mean, I can give you a whole lot of details on that, but broadly speaking that seems to be what it is all about.

Mr. Chairman: Thank you. Mr. McCall?

Mr. McCall: Thank you, Mr. Chairman. Would you say, broadly speaking, in your own opinion that their interest is to serve their own need and not the need of the people of the Yukon?

Mr. Ogilvie: That is our view.

Mr. Chairman: Thank you, Mr. McCall. Any further questions? Mr. McIntyre?

Hon. Mr. McIntyre: I support this Motion and most particularly in the area of the Resident Geologist who provides a service that is not just channeled towards the Mining Industry and people interested in mining but also, provides a map service where people can go and buy maps of the Territory.

If this particular service were moved to Takhini it would mean that anytime a person wanted to buy a map he would have to go to Building 200 in order to make a fifty cent purchase or a dollar purchase. This service has been in this building for -- every since the building was erected. I think it is really a shame that it should be transferred to another place, which would make it so inconvenient for people to take advantage of the service.

Thank you.

Mr. Chairman: Thank you Mr. McIntyre. Mr. Fleming?

Mr. Fleming: Mr. Chairman, I would like to support this Motion. I will support this Motion wholeheartedly. I think I shall comment a little on what may happen and what has happened in the past, I find in Whitehorse in many instances with land, mining, map availability and such.

When you have part of your offices two and a half miles up the hill and the other one down here, and the general public from outside of Whitehorse especially come to this town, they go to one place they get one question answered and they go to another place and they get another answer. I have travelled myself up and down the Two Mile Hill three to four times to find myself a map. Why I am doing it, I come into this office and get a two dollar or three dollar parking ticket, or now a one dollar one. I find this very hard to see that we are building buildings that cost something

in the millions of dollars and we can't accommodate our land and mining and things like this all in one roof so people don't have to run all over the place.

I support the Motion.

Mr. Chairman: Thank you, Mr. Fleming. Mrs. Whyard?

Mrs. Whyard: Mr. Chairman, having watched the 'empire building' up the hill, I am moved to wonder out loud whether after they get these offices moved up there they will not be moving them back down here when this building is empty in two years.

I am opposed to the wasting of my tax dollars, as all of you are, and it seems to me that there are unlimited amounts of money for renovations alterations, moving one section to another section in that particular area. It seems much more practical to leave it here because there is going to be untold space available very soon.

Mr. Chairman: Thank you. Any further questions or comments? Mr. Commissioner?

Mr. Commissioner: Mr. Chairman, I don't want to enter into any portion of your debate on this thing, but, I don't think it would be inappropriate to say a word or two in connection with accommodation as far as government services generally are concerned here in the headquarters area.

First and foremost, about seven or eight years ago a little problem arose in connection with space for the Territorial government and it was very conveniently forgotten by those in authority at that time, but this building that we are in today was originally built to house the Territorial building.

While hindsight is 20-20 vision compared to foresight if the people in authority at that time had simply dug their heels and said we are not moving, we wouldn't be in the mess with government space that we are in today because another building would have been built to house federal government departments. Where it would have been built is another question. We wouldn't be in this hiatus that we are in today where every department of government is moving on a continuing basis because of the fact that there isn't permanent headquarters, or permanent homes have been built for them.

In the move that is taking place at the present time, I hope that everyone is clear as to what is moving. The Geological Evaluation Unit and Mapping is moving. Mining Inspection is moving. The Mining Recorder and the Central Mining Records are moving. This is a Supervising Mining Recorder and the Claim Sheet Service. These are the things that are moving from this building.

The people who are staying here will be the Whitehorse Mining District, and this District Office will be maintained in this particular building here.

My own personal observations are that with regard to service to the public is concerned, it is the loss of the mapping unit downstairs that the public will feel the loss of most, as far as convenience to the downtown area is concerned. There are going to be about ten offices that will be vacated and I would like to suggest that there is probably a competition going on between 40 different outfits that want to get into those ten of-

fices.

Now one of the competitors to get into some of those ten offices, is the Territorial Government and we are after some of these offices to try to bring about a consolidation of the Federal and the Territorial Land Services. Now we have no promises that this in fact will come about, but at least we have been trying and if we are lucky enough to get it, this could become an advantage as far as the general public is concerned.

As far as the stopping of the move at this particular point in time is concerned, Mr. Chairman, maybe it can and maybe it can't, will be my personal opinion that it is a fait accompli, there is nothing the matter with your putting your Motion and certainly the Administration will be guided by whatever the contents of your Motion happens to be. But this thing is pretty far down the line. I believe that most of these offices, the move is contemplated for sometime in the course of the next few days.

Mr. Chairman: Thank you Mr. Commissioner. Any further questions or comments.

I'd just like to add something the members have pretty well covered all the bases. I just feel that it's a situation where the federal government, this department, is more concerned about their internal convenience than they are about the needs of the public.

And in effect they're providing a service. They are there to provide a service to the people of the Yukon. One would not expect, for example, Kelly Douglas to move their Super-Valu up the hill and the reason is very simple, because it's not a convenient place for a shopping centre.

Are there any further questions or comments?
Are we ready for the question?

Some Members: Question.

Mr. Chairman: Are we agreed?

Some Members: Agreed.

Mr. Chairman: I declare the motion carried.

Motion Carried

Mr. Chairman: I'd like to thank the witnesses for attending.

Mr. Olgivie: Thank you very much, Mr. Chairman.

Mr. Chairman: What is your further pleasure. Shall we declare a recess at this time or deal with Bill 16. That's the Bill which Ms. Millard has a Motion regarding.

Ms. Millard?

Ms. Millard: I'm prepared to go ahead at this time.

Mr. Chairman: Very well, we'll deal with your Motion. What's your wish with respect to your Motion?

Bill Number 16

Ms. Millard: Mr. Chairman, I'm prepared to withdraw my Motion, as I stated earlier. Since we have not heard from Ottawa, did you wish me to reread the Motion?

Mr. Chairman: No.

Ms. Millard: No. However, I certainly would only do it on condition that Mr. Legal Advisor can give me assurances that the prisoners will be given every possible right to object to, within the administration, to any transfer that they might—that might be imposed upon them.

I note that the Corrections Ordinance Section 31, the Commissioner and any person authorized by him and any person designated to be a correctional institution inspector may at any time enter any correctional institution or industrial school et cetera, et cetera.

In other words, there is a person who is designated to be given the right to hear appeals. I wonder if I can be given the assurance that regulations will be stipulated that a prisoner could use this resource of the inspector to object to any kind of transfer and that certainly the transfer has been discussed with him prior to any sort of move on the administration's part to move him.

Mr. Chairman: Thank you, Ms. Millard.

Mr. Legal Advisor: I have the authority of the Minister responsible for this Department to say that he has instructed me and the Director of Corrections, to bring forward regulations. Now these regulations will be of a broader nature than the regulations which were discussed in relation to this bill. They will enable any prisoner in relation to any matter where a decision is made adverse, in his opinion, to his interests to bring the matter before an inspector who will be appointed pursuant to the regulations and these inspectors will be the judge of the High Court, the magistrate, the Legal Advisor and such like people. They will make regular inspections to the prison. There will be a complaint book and the prisoner can ask for a hearing, that hearing will be a relatively informal hearing and would normally take place informally in one of the offices but the prisoner will have direct access to that inspector, with or without other officers being present to ask the questions. The inspector will have the authority to call for any books, papers, in relation to the matter and would have the authority to make a recommendation with respect to the matter although he would make no decision.

In respect to the transfer of prisoners, some prisoners are transferred as a result of a court order and there will be no power to interfere with any decision of the courts in relation to a prisoner.

But where it was an application by somebody to move a prisoner from the Territory to outside, then before the move would formally take place, the prisoner will be informed of it, be informed of the reasons for it and be given an opportunity to make representation to a person, to an inspector who will be independent of the prison service and would have the capacity to make a recommendation in the matter direct to the government itself.

If the Honourable Member would accept this assurance, the Minister has instructed me to produce regulations and I would produce them in the normal way to the Executive Committee on this broad basis.

Mr. Chairman: Thank you. Ms. Millard.

Ms. Millard: Yes, Mr. Chairman. As long as there is assurance that the prisoners shall be told of these rights and the procedure that is involved but it's not a catch us catch can thing. And he knows for sure that that is part of the procedure of a transfer. . .

Mr. Legal Advisor: This will be done, Mr. Chairman.

Mr. Chairman: Mr. Lang do you agree with --

Mr. Lang: Mr. Chairman, I withdraw my second.

Mr. Chairman: Members agree that the motion be withdrawn?

Some Members: Agreed.

Mr. Chairman: I'll then entertain a motion on Bill Number 16. Mr. Taylor, I believe that the preamble has been read and the title was moved out of Committee once before,

Hon. Mr. Taylor: Yes.

Mr. Chairman: Mrs. Watson.

Hon. Mrs. Watson: Mr. Chairman, I would move that Bill Number 16, Transfers of Prisoners Agreement Ordinance be reported out of Committee without amendment.

Mr. Chairman: Thank you.

Mr. McCall: I'll second that Mr. Chairman.

Mr. Chairman: It has been moved by Mrs. Watson, seconded by Mr. McCall that Bill Number 16 entitled Transfer of Prisoners Agreement Ordinance to be reported out of Committee without amendment. Question?

Some Members: Question.

Mr. Chairman: Are we agreed?

Some Members: Agreed.

Mr. Chairman: I do declare this motion carried.

Motion Carried

Mr. Chairman: What is your further pleasure at this time? Are there any questions arising from the answers given that have been passed out now by Mrs. Watson?

Mrs. Whyard: Mr. Chairman, I have asked for a comparison of the Yukon minimum income subsistence level of B.C. The Ministers very kindly provided the information of B.C. Now I have forgotten the figures of the Yukon.

Hon. Mrs. Watson: Mr. Chairman, in answer to the question, the minimum subsistence level in the Yukon were single, 229 and msarried, 426.

Mr. Chairman: Thank you, anything arising, Mrs. Whyard.

Mrs. Whyard: So in effect, Mr. Chairman, it is lower in the Yukon.

Hon. Mrs. Watson: Mr. Chairman, that is right. B.C. just amended theirs very recently.

Mrs. Whyard: Thank you Mr. Chairman.

Mr. Chairman: Any further questions or comments? Mr. Taylor.

Hon. Mr. Taylor: Mr. Chairman, as a matter of information do I have it that we have now concluded the work before committee?

Mr. Chairman: Mr. Taylor, we have, except for the Sessional Paper Number 3.

If there is no further questions at this time I would suggest that we recess and possibly meet to discuss that particular Sessional Paper So I'll declare a recess at this time until 2:00 this afternoon.

Recess

Mr. Chairman: I will now call the Committee back to order. We've disposed of everything before this Committee and accordingly, I'll gladly entertain the appropriate motion.

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

Mr. Chairman: It has been moved by Mr. Lang, seconded by Mr. McCall that Mr. Speaker do now resume the Chair. Question.

Some Members: Question.

Mr. Chairman: Are we agreed?

Some Members: Agreed.

Mr. Chairman: I declare the motion carried.

Motion Carried

Mr. Speaker Resumes Chair

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

May we have a Report from the Chairman of Committees?

Mr. Phelps: Yes, Mr. Speaker, Committee convened at 10:35 a.m. to consider Bills, Papers and Motions. We had as witnesses, Mr. Ogilvie and Mr. Phillips. It was moved by the Chairman, seconded by Mr. Taylor that is is the opinion of this House that the offices of the senior Mining Section personnel and support personnel of the Northern Natural Resources and Environment Branch, Department of Indian and Northern Affairs, should remain in the Federal Building in the downtown area of Whitehorse and that motion was carried.

It was moved by Mrs. Watson and seconded by Mr. McCall that Bill No 16, entitled Transfer of Prisoners Agreement Ordinance be reported out of Committee without amendments and that motion was carried.

It was agreed that Sessional Paper No 3 be left to die in Committee. It was moved by Mr. Lang and seconded by Mr. McCall that Mr. Speaker now resume the Chair and that motion was carried. Thank you.

Mr. Speaker: You have heard the report of the Chairman of Committees, are you agreed?

Some Members: Agreed.

Mr. Speaker: What is your further pleasure?

The Honourable Member from Kluane.

Bill Number 16 Third Reading

Hon. Mrs. Watson: Mr. Speaker, I move, seconded by the Honourable Member from Whitehorse North Centre that Bill No 16 be now read a third time.

Mr. Speaker: It has been moved by the Honourable Member from Kluane, seconded by the Honourable Member from Whitehorse North Centre that Bill No 16 entitled Transfer of Prisoners Agreement Ordinance be now read a third time. Are you prepared for the question?

Some Members: Question

Mr. Speaker: Are you agreed?

Some Members: Agreed.

Mr. Speaker: I shall declare the motion carried.

Motion Carried

Mr. Speaker: Are you prepared to adopt the title to the Bill?

Hon. Mrs. Watson: Yes Mr. Speaker, I move, seconded by the Honourable Member from Whitehorse North Centre, that the title to Bill No 16 be adopted as written.

Mr. Speaker: It has been moved by the Honourable Member from Kluane, seconded by the Honourable Member from Whitehorse North Centre, that the title to Bill No -- what was the Bill number -- 16?

Hon. Mrs. Watson: Yes, Mr. Speaker.

Mr. Speaker: That the title to Bill No 16, namely the transfer of Prisoners Agreement Ordinance be adopted as written. Are you prepared for the question?

Some Members: Question.

Mr. Speaker: Are you agreed?

Some Members: Agreed.

Mr. Speaker: I shall declare that the motion is carried.

Motion Carried

Mr. Speaker: Bill 16 has passed this House.

Mr. Speaker: At this point we have now concluded all work in Committee of the Whole. It is customary at this time to allow members to reply to the Commissioner's opening address, should they be so inclined. Are there any members wishing to reply to the Commissioner's opening address at this time?

The Honourable Member from Whitehorse West.

Mrs. Whyard: Mr. Speaker, with the indulgence of this House, I would like to speak at this time rather than at a later date because I want to express feeling which have been aroused by this first session.

Some months from now, after further indoctrination into the ways of government, my impressions may be dulled slightly, by constant frustration. Today, I must speak out, on behalf of the people whose wishes and needs have not been met in the budget to which we have given token consent at this session.

Token, Mr. Speaker, because there was no alternative. Token because this budget was not the creature of this House, and no effective opposition could be registered when responsibility for that budget could not be pinned to the elected members of the current Executive Committee. This has been my first lesson, Mr. Speaker, I have learned that money is not necessarily available for what the people want, although it is the people's money.

My only hope is, Mr. Speaker, that the members of this new Executive Committee will do their utmost to change some of those priorities in the budget which they are now examining, for the new fiscal year and that they will take every step possible to correct those inequalities which members of this House have pinpointed as objectionable. If I did not believe in their support of our views, Mr. Speaker, I would see no point in continuing my efforts in this House. I am giving fair warning now, Mr. Speaker, that I will be scrutinizing every item of expenditure coming before us in future months with that commitment in mind. I believe this government has made a tragic error in the lack of support granted for numerous agencies, which provided vital services to the people of this Territory.

In terms of human need and suffering the dollar count is very low. It seems obvious, Mr. Speaker, there are funds for those already on welfare rolls but not for Yukoners who are trying to pay their own way.

We have been unable to act on the sincere recommendations of our doctors, ministers, lawyers and volunteer workers, this time around. Despite our best intentions, because someone else is making the decisions for us.

Mr. Speaker, I am not minimizing the attempts made in the Department of Welfare budget to add other special services this year. These are welcomed and appreciated but this budget continues to spend millions on roads, buildings and equipment, while maintaining there are no funds for services such as Homemakers, Counselling and Day care.

I don't believe it, Mr. Speaker, the people of the Yukon don't believe it, and we will have an opportunity to see who is responsible for establishing these priorities, when, later this year, the Minister of Indian Affairs and Northern Development carries through his promise and removes one of the appointed members of our Executive Committee, Financial Advisory Committee, thus giving elected members a majority voice. That will be the moment of truth, Mr. Speaker for which we are all waiting.

As a new member of this House, I wish to express my thanks to the Chairman of Committee, the Honourable Member for Whitehorse Riverdale, for his courteous and competent direction of our debate. And my thanks to all Members for their cooperation in these first few weeks of trial and error. Thank you Mr. Speaker.

Mr. Speaker: Are there any further replies?

It would appear then at this time we are now prepared to enter into Prorogation Proceedings.

Madam Clerk would you determine if Mr. Commissioner would be prepared to give his closing address?

Madam Clerk leaves the room

Mr. Speaker: At this time I will declare a recess.

Recess

Mr. Speaker: At this time we will call the House to order.

Mr. Commissioner: Good afternoon, Mr. Speaker.

Mr. Speaker: Mr. Commissioner the House has at its present sittings thereof passed a number of Bills to which in the name and on behalf of the said House I respectfully request you assent.

Madam Clerk: Bill Number 1, Sixth Appropriation Ordinance 1974-75; Bill 2, First Appropriation Ordinance 1975-76; Bill 3, Financial Agreement Ordinance, 1975; Bill 4, Loan Agreement Ordinance 1975, No 1; Bill 5, Municipal General Purposes Ordinance; Bill 6, Compensation for the Victims of Crime Ordinance; Bill 7, an Ordinance to Repeal the Disabled Persons Allowance Ordinance; Bill 8, an Ordinance to Repeal the Old Age Assistance and Blind Persons Allowance Ordinance; Bill 9, an Ordinance to Repeal the Unemployment Assistance Agreement

Ordinance. Bill 10, an Ordinance to Repeal the Adult Occupational Training Agreement Ordinance; Bill 11, Occupational Training Ordinance; Bill 12, an ordinance to Amend the Rehabilitation Services Ordinance; Bill 13, an Ordinance to Amend the Labour Standards Ordinance; Bill 14, Government Employee Housing Plan Ordinance; Bill 15, Yukon Voyageurs Agreement Ordinance; Bill 16, Transfer of Prisoners Agreement Ordinance; Bill 17, Custody of Federal Parole Violator Agreement Ordinance; Bill 18, Supervision of Federal Parolees Agreement Ordinance; Bill 19, Community Assistance Ordinance; Bill 20, an Ordinance to amend the Municipal Ordinance; Bill 22, an Ordinance to amend the Municipal Ordinance; and Bill 23, an Ordinance to Amend the Mining Safety Ordinance.

Mr. Commissioner: Mr. Speaker, I am pleased to give my assent at this time to the Bills as enumerated by the Clerk, but I would draw your attention, Mr. Speaker, that in that listing given by the Clerk, Bill 1 and Bill 22 were given assent on March 10. With that proviso so that we are not duplicating assent, I am pleased to give my assent to that listing of Bills.

At this time, Mr. Speaker, I would like to thank you and all Members of the House for the help and assistance that you have given to the Administration in making it possible for us to carry out our responsibilities, by the conduct of your House during the session that you are now completing.

It will be my intention to call this Council back into session as soon as is possible and practical to deal with certain legislative matters that there is a certain urgency to, and as much notice as possible will be given to the Members prior to that date. Thank you very much, Mr. Speaker.

Mr. Speaker: Thank you Mr. Commissioner. I also would like to extend to you and your staff and to the officers and staff of the House, my deepest appreciation for the assistance you have rendered to the Assembly during this productive session.

To all Honourable Members I would extend my thanks for the courtesies you have shown the Chair during this, our first working session together, and may I offer to all Honourable Members my best wishes for a pleasant Easter holiday and a safe return to the House at our next sitting.

Madam Clerk: It is the Commissioner's will and pleasure that this House be now prorogued and this House is accordingly prorogued.

LEGISLATIVE RETURN NO. 8
[1975 Second Session]
March 25, 1975

Mr. Speaker,
Members of Council

On Tuesday, March 25th, Councillor Lang asked the following written question:

"When will the sewage lagoon be constructed in Porter Creek and what will the financial arrangements be?"

The answer is as follows:

We are intending to call tenders for the lagoon project within one month, for construction in early summer.

Cost sharing arrangement is on a 90 percent YTG - 10 percent City basis, at an estimated cost of between \$130,000 to \$150,000.

J.K. McKinnon,
Minister of Local Government

LEGISLATIVE RETURN NO. 9
[1975 Second Session]
March 25, 1975

Mr. Speaker,
Members of Council.

On March 25, 1975 Mr. Lang asked the following question:

"I would like a financial breakdown and the over-all cost of last year's Commissioner's Tour."

The number of persons accompanying me on this Tour ranged up to 31. A complete cost breakdown is as follows:

Transportation	\$24,511.90
Accommodation	1,989.70
Meals	1,784.09
Miscellaneous	322.14
Total	\$28,607.83

James Smith
Commissioner



The first part of the report
 is devoted to a description of
 the experimental apparatus
 and the method of observation.
 The results of the experiment
 are given in the following
 table.

The second part of the report
 is devoted to a discussion of
 the results of the experiment
 and a comparison with the
 theoretical predictions.

The author wishes to express
 his appreciation to the
 National Science Foundation
 for their generous support
 of this work.

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